



## Arlington Conservation Commission

**Date:** Thursday, October 15, 2020  
**Time:** 7:30 PM  
**Location:** Conducted by Remote Participation

### Agenda

#### 1. Administrative

- a. In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20 relating to the COVID-19 emergency, the October 15, 2020 public meeting of the Arlington Conservation Commission shall be physically closed to the public to avoid group congregation. The meeting shall instead be held virtually using Zoom.

Topic: Conservation Commission Meeting

Time: October 15, 2020 07:30 PM Eastern Time (US and Canada)

***Register in advance for this meeting:***

<https://town-arlington-ma-us.zoom.us/meeting/register/tJluc-mgrD4jGdaO2el7MXaMIGr1qfaYoYcC>

Members of the public are strongly encouraged to send written comment regarding any of the hearings listed below to Conservation Agent Emily Sullivan at [esullivan@town.arlington.ma.us](mailto:esullivan@town.arlington.ma.us).

Please read Governor Baker's Executive Order Suspending Certain Provision of Open Meeting Law for more information regarding virtual public hearings and meetings: <https://www.mass.gov/doc/open-meeting-law-order-march-12-2020/download>

- b. Review project updates, including: ZBA Update on Thorndike Place, Spy Pond survey and Sand Bar project, CPA projects, and Conservation Commission comment letter procedures

#### 2. Discussion

- a. Regulations Update: Section 33 Stormwater Management

#### 3. Hearings

**Request for Certificate of Compliance**

**26 Lakeview Street**

MassDEP File # 091-0198

The project was approved on 08/28/2008 to construct an addition in the 100-ft wetlands buffer of Spy Pond. The project was never constructed, and none of the approved components of the project were ever built.

**Request for Extension of Order of Conditions**

**19R Park Avenue, Downing Square****MassDEP File #091-0287**

The project as approved includes the construction of two buildings, containing 34 residential units with associated site improvements, including parking area, pedestrian pathways, landscaping, lighting, stormwater management, and utilities. The Project also includes construction of a pedestrian bridge from the Project site across land and the No Name Brook for access to the Minuteman Bikeway. The Project also involves remediation activities pursuant to M.G.L. c. 21E and the Massachusetts Contingency Plan ("MCP"), as well as the Toxic Substances Control Act, due to the presence of Hazardous Materials on the project site. The following Resource Areas are present on the site or within 100 feet of the lot lines: stream, Bank to stream, Adjacent Upland Resource Area ("AURA") (Bylaw) and Buffer Zone (Act) to Bank, and Bordering Land Subject to Flooding (BLSF: the 100-year (1 % chance) floodplain). The project was approved on 12/07/2017 and did not start until mid-2019. The site is currently under construction, and has been inspected multiple times by ACC and found to be in compliance.



## Town of Arlington, Massachusetts

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### Regulation Update

#### Summary:

Regulations Update:Section 33 Stormwater Management

#### ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	Section_33_Stormwater_Management_Clean_09182020_PH_edits_09302020.pdf	Section 33: Stormwater Management

## Section 33 - Stormwater Management

PH Comment: I have made several revisions which address questions posed as well as to make the document consistent with my intent, which was 1) for a revised Stormwater Section in our regulations to complement both the State Wetland Protection Act's requirements and the Stormwater regulation of the Town's Stormwater Mitigation Bylaw, but not replace those standards which will apply to the more impactful projects and 2) to capture projects, in a flexible but resource protective manner, that are generally smaller than those regulated under DEP's Stormwater standards or Arlington's Stormwater Mitigation Bylaw: this would be projects like many of the walkways, decks, patios, shed or driveway replacements that have come before us

Questions to resolve:

- Are we regulating both "volume" and "rate"? PH: Note: just rate here, but projects adding greater than 350 sf of impervious area are required to address volume under the Town Bylaw. Controlling peak rate implies some sort of volume storage or infiltration.
- Should we add 100-year 24-h storm events? Yes
- Delete #4 & 5 since they are defacto covered if meet the standards?
- Should we specifically cross-reference "waver" standards to stormwater bylaw? PH: There should be no need for waivers.
- Should we specify that these bylaw/regs are applicable to projects < 350sf? see below.
- 

A. Nothing in these Regulations is intended to replace or be in derogation of the requirements of the Wetland Protection Act (310 CMR) or the Town of Arlington's Stormwater Mitigation Bylaw (Article 15) and Stormwater Management Rules and Regulations administered by the Town of Arlington's Engineering Division. To the extent that standards for Stormwater Management in 310 CMR, Section 10.05 (k) and the requirements of Arlington's Stormwater Mitigation Bylaw are applicable, projects shall meet those standards. In the case of conflict between the regulations, the more stringent provisions shall apply. Should a project require a Stormwater Permit under Article 15, the Applicant shall obtain approval of the Stormwater Management permit prior to issuance of a permit by the Conservation Commission.

B. Stormwater management design for all projects (including projects that do not require a Stormwater Management Report under 310 CMR Section 10.05 (k) -or projects that are exempt under Arlington's Stormwater Management Rules and Regulations) specified in a request for determination of applicability or an application for a permit shall accomplish the following:

1. Not exacerbate or create flooding conditions and shall not result in an increase in the peak rate of stormwater runoff or volume over existing conditions for the 2-, 10-, and 25-year and 100-year??? 24 -hour duration storm events.
2. Reduce stormwater pollution to the maximum extent possible. Low Impact Development techniques listed in the Massachusetts Stormwater Handbook , (LID BMPs) should be prioritized for their positive impact on overall site climate change resilience, improvements to water quality, and ability to handle water quantity. Depending upon

### **Comment [1]:**

PH Deleted volume. Volume computations would presumably require an Engineer's calculation, which we often don't see for small projects adding small patios or converting impervious driveways to pervious.

### **Comment [2]:**

Is total SW volume regulated in the MA SW standards? Standard 2 references rates. I can see a situation where new development meets state standards, yet generates more total runoff... I don't see anything about volumes in the Town bylaw either. However, Page 4-4 of the MassDEP 2002 Hydrology Handbook for Conservation Commissioners gives an example where increased volume can impact resource areas. "An increase in volume of runoff into a wetland can result in higher water levels for sustained periods, which may have adverse effects on the biological community in the wetland" Are we creating a new regulation and if so is that the intent?

### **Comment [3]:**

My understanding is that the SWHB does NOT regulate volume – only discharge rate – under standard 2

### **Comment [4]:**

Existing conditions should include "natural" if undeveloped. Was it intentional to leave natural in?



the type of project proposed. ~~(T~~This may include but not be limited to reduction in impervious surfaces, bio-retention (rain gardens) and infiltration systems.

3. Have an operation and maintenance plan to inspect, properly maintain, and repair installed BMPs after project completion to ensure they are functioning according to the design intent in perpetuity
4. ~~Not have an adverse effect on resource area values.~~
5. Provide a sufficient level of environmental protection during the construction phase.

~~All C Projects shall meet standards 1—10 of the most current Massachusetts Department of Environmental Protection Stormwater Management Policy and applicable requirements of Arlington’s Stormwater Mitigation Bylaw (Article 15) administered by the Town of Arlington’s Engineering Division. In the case of conflict between the regulations, the more stringent provisions shall apply. Should a project require a Stormwater Permit under Article 15, the Applicant shall obtain approval of the Stormwater Management permit prior to issuance of a permit by the Conservation Commission.~~

B. The rainfall amounts used for design and analysis shall be based on NOAA Atlas 14 Volume 10 Point Precipitation Frequency Estimates for Arlington. Calculations shall show existing and proposed runoff conditions for comparative purposes and include a narrative on the proposed project’s impact on climate change resilience of the resource area (see Section 31).

DE. The requirements of this section shall be met commensurate with the nature, scope, type, and cost of the proposed project or activity.

**Comment [5]:**

I appreciate the sentiment, but these are broad and vague. Also, if a project meets the Stormwater Management Standards, it is presumed to not adversely affect resource area values as well as provided sufficient environmental protection.

**Comment [6]:**

I removed #4 and #5 a

**Comment [7]:**

PH. Deleted sentence since stormwater section begins with reference to projects meeting applicable standards of DEP and Arlington’s Engineering under town Stormwater Mitigation bylaw

**Comment [8]:**

State stormwater standards do not apply to SFHs, but our bylaw should and does.

**Comment [9]:**

To confirm, through the bylaw, we are extending state stormwater standards to smaller projects, but to the extent practicable. The intent here is to add a “waiver” similar to the town’s draft SW regulations.

However, I’m not sure we should be entertaining “waivers” for all projects. i.e. new development that can’t meet state stormwater standards shouldn’t necessarily be granted a waiver, but be compelled to down-scale the project so it can meet all standards...

**Comment [10]:**

This sentence was added to allow for flexibility, to apply in commensurate with the size and complexity of the project. I vote to keep this in. Another option is that we could cross-reference the “waiver” standards in the Town’s Stormwater Bylaw. As you may know, the MA SWHB is being updated now so that it can be used/referenced by municipalities to implement their stormwater bylaws/ordinances required under the MS4 program.



## Town of Arlington, Massachusetts

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### Request for Certificate of Compliance

#### Summary:

##### 26 Lakeview Street

MassDEP File # 091-0198

The project was approved on 08/28/2008 to construct an addition in the 100-ft wetlands buffer of Spy Pond. The project was never constructed, and none of the approved components of the project were ever built.

#### ATTACHMENTS:

Type	File Name	Description
Request for Certificate of Compliance	26_Lakeview_RCOC.pdf	26 Lakeview RCOC
Request for Certificate of Compliance	26_Lakeview_RCOC_Form.pdf	26 Lakeview RCOC Form
Request for Certificate of Compliance	91198- 26_Lakview_Findings_and_Special_Conditions.pdf	26 Lakeview OOC Findings and Special Conditions

Robert E. Bowes  
26 Lake View, Arlington, MA 02476

October 5, 2020

Ms. Emily Sullivan,

Town Hall

Arlington, MA 02476

Dear Emily,

As requested, please find the WPA Form 8A for MassDEP File #091-0198 which was approved on 08/28/2008 for an addition located at 26 Lakeview Street.

The purpose of this letter is to confirm, that despite the fact the Conservation Commission approved my application many years ago to make an addition to the property, no work was ever undertaken with respect to the ConCom approval, nor was any Building Permit ever requested or issued.

I hope that this information will allow the ConCom to close out its prior approval.

I will mail a check for \$200.00, payable to the Town of Arlington.



Robert E. Bowes

Cc: Martha Penzenik



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

DEP File Number:

**WPA Form 8A – Request for Certificate of Compliance**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by DEP

**A. Project Information**

**Important:**

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Upon completion of the work authorized in an Order of Conditions, the property owner must request a Certificate of Compliance from the issuing authority stating that the work or portion of the work has been satisfactorily completed.

1. This request is being made by:

Name Robert E. Bower  
Mailing Address 26 Lake View  
Arlington MA 02476  
City/Town State Zip Code  
Phone Number 781-645-0550

2. This request is in reference to work regulated by a final Order of Conditions issued to:

Applicant Robert E. Bower

Dated \_\_\_\_\_ DEP File Number \_\_\_\_\_

3. The project site is located at:

Street Address 26 Lake View City/Town Arlington  
121 00080  
Assessors Map/Plat Number Parcel/Lot Number

4. The final Order of Conditions was recorded at the Registry of Deeds for:

Property Owner (if different) \_\_\_\_\_

County \_\_\_\_\_ Book \_\_\_\_\_ Page \_\_\_\_\_

Certificate (if registered land) \_\_\_\_\_

5. This request is for certification that (check one):

- ☐ the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.  
☐ the following portions of the work regulated by the above-referenced Order of Conditions have been satisfactorily completed (use additional paper if necessary).  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- ☒ the above-referenced Order of Conditions has lapsed and is therefore no longer valid, and the work regulated by it was never started.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

DEP File Number:

**WPA Form 8A – Request for Certificate of Compliance**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by DEP

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**A. Project Information (cont.)**

6. Did the Order of Conditions for this project, or the portion of the project subject to this request, contain an approval of any plans stamped by a registered professional engineer, architect, landscape architect, or land surveyor?

☒ Yes

If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.

☐ No

*work was never commenced.*

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**B. Submittal Requirements**

Requests for Certificates of Compliance should be directed to the issuing authority that issued the final Order of Conditions (OOC). If the project received an OOC from the Conservation Commission, submit this request to that Commission. If the project was issued a Superseding Order of Conditions or was the subject of an Adjudicatory Hearing Final Decision, submit this request to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).

## ARLINGTON CONSERVATION COMMISSION

### ORDER OF CONDITIONS –26 LAKEVIEW ST AMENDMENT DEP FILE NO. 91-198 HOUSE ADDITION

#### Referenced Documents and Plans

1. Notice of Intent for 26 Lakeview St, Arlington, MA, prepared by Martha Penzenik, Martha Penzenik Architects, 635 Massachusetts Ave., Arlington, MA 02476 prepared for Robert Bowes, 26 Lakeview St, Arlington, MA 02476, dated 6/16/08.
2. Site plans SP-1, SP-2 for 26 Lakeview Street prepared by Martha Penzenik, Martha Penzenik Architects, 635 Massachusetts Ave., Arlington, MA 02476 prepared for Robert Bowes, 26 Lakeview St, Arlington, MA 02476, dated 6/1/08.
3. Excavation and Foundation protocol, prepared by Martha Penzenik, Martha Penzenik Architects, 635 Massachusetts Ave., Arlington, MA 02476 prepared for Robert Bowes, 26 Lakeview St, Arlington, MA 02476, dated August 7, 2008.
4. Narrative letter describing changes, prepared by Martha Penzenik, Martha Penzenik Architects, 635 Massachusetts Ave., Arlington, MA 02476 prepared for Robert Bowes, 26 Lakeview St, Arlington, MA 02476, dated 12/16/13.
5. Proposed site plan, 26 Lakeview St, Arlington, MA prepared by Melissa MacDonald, RLA, Arlington, MA 02474, prepared for Robert Bowes, 26 Lakeview St, Arlington, MA 02476, dated December, 2013.
6. Site Preparation Plan, Bowes Residence, 26 Lakeview, prepared by Martha Penzenik, Martha Penzenik Architects, 635 Massachusetts Ave., Arlington, MA 02476 prepared for Robert Bowes, 26 Lakeview St, Arlington, MA 02476, dated 11/26/13.

#### Findings

After a duly noticed public hearing, the Commission makes the following findings:

1. The addition proposed is within the Buffer Zone to Spy Pond. The work will be along the sides of the existing house which is 69 feet from the shore.
2. The file contains the correspondence (dated 7/11/08) from the Natural Heritage Endangered Species Program at the Division of Fisheries and Wildlife and states, that it has determined that this project will not adversely affect the Resource Area Habitat of state-protected rare wildlife species.
3. Changes for this amendment are only to landscaping, patios steps, and plants within 16 feet of the shoreline, but not within any other resource area besides Buffer Zone.

#### Special and/or Bylaw Conditions

20. The applicant shall make sure that a copy of this Order of Conditions, with the above-referenced plans, is available on site at all times, and that contractors, site managers, foremen, and sub-contractors understand its provisions.
21. No vehicles shall be stored over night within 100 feet of the waterway. No vehicles shall be maintained (oil changed, refueled) within 100 feet of the waterway.
22. Any dirt or debris spilled or tracked onto any paved streets shall be swept up and removed daily.

ARLINGTON CONSERVATION COMMISSION

ORDER OF CONDITIONS –26 LAKEVIEW ST AMENDMENT DEP FILE NO. 91-198  
HOUSE ADDITION

23. In the event of discovery of hazardous materials on the site during excavation work, clean up of these materials shall conform to the requirements and standards of State law and regulations.
24. Any dewatering operations shall conform to the following:
- (a) Notify the Conservation Commission that dewatering is required.
  - (b) Any catch basins, drain and outfalls to be used in dewatering operations shall be cleaned out before operations begin.
  - (c) Any water discharged as part of any dewatering operation shall be passed through filters, on-site settling basins, settling tank trucks, or other devices to ensure that no observable sediments or pollutants are carried into any Resource Area, street, drain or adjacent property.
  - (d) Measures shall be taken to ensure that no erosion or scouring shall occur on public or private property, or on the banks or bottoms of water bodies, as a result of dewatering operations.
25. Arrangements shall be made as per 24(c) and (d) for any rinsing of tools, equipment, etc. associated with on-site mixing or use of concrete or other materials. Any spillage of materials shall be cleaned up promptly.
26. Any new drywells or trench drains shall be located uphill of the proposed erosion control line shown on the plan of document #3 above.
27. The use of haybales is prohibited and should be removed from step #13 of document #3 above.
28. Any plantings and landscaping within the 100-foot Buffer Zone shall conform to the following:
- (a) No plant materials shall be used of any species which appears on the Massachusetts Division of Fisheries and Wildlife's list of invasive species (attached)
  - (b) Fertilizers, pesticides, or herbicides shall not be used within the Buffer Zone, except as noted in (c) unless a specific need for treating a particular specimen or species has been demonstrated to the Commission, and permission has been granted.
  - (c) Fertilizers may be used at the time of installation of any plant materials, and once more within a year after planting.
29. With proper notification to onsite personnel and/or the property owner, the Commission, its employees and its agents shall have the right of entry onto the site to inspect for compliance with the terms of this Order of Conditions.
30. When requesting a Certificate of Compliance for this Order of Conditions, the applicant must submit a written statement from a qualified professional certifying that the completed work complies with the plans referenced in this Order, or provide an as-built plan and statement describing any differences.



## Town of Arlington, Massachusetts

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### Request for Extension of Order of Conditions

#### Summary:

#### 19R Park Avenue, Downing Square

MassDEP File #091-0287

The project as approved includes the construction of two buildings, containing 34 residential units with associated site improvements, including parking area, pedestrian pathways, landscaping, lighting, stormwater management, and utilities. The Project also includes construction of a pedestrian bridge from the Project site across land and the No Name Brook for access to the Minuteman Bikeway. The Project also involves remediation activities pursuant to M.G.L. c. 21E and the Massachusetts Contingency Plan ("MCP"), as well as the Toxic Substances Control Act, due to the presence of Hazardous Materials on the project site. The following Resource Areas are present on the site or within 100 feet of the lot lines: stream, Bank to stream, Adjacent Upland Resource Area ("AURA") (Bylaw) and Buffer Zone (Act) to Bank, and Bordering Land Subject to Flooding (BLSF: the 100-year (1 % chance) floodplain). The project was approved on 12/07/2017 and did not start until mid-2019. The site is currently under construction, and has been inspected multiple times by ACC and found to be in compliance.

#### ATTACHMENTS:

	Type	File Name	Description
▣	Extension Permit for Order of Conditions	Order_of_Conditions-signed.pdf	19R Park Ave OOC Form
▣	Extension Permit for Order of Conditions	19R_Park_Ave_OOC_Extension_Request.pdf	19R Park Ave Request for Extension of Order of Conditions
▣	Extension Permit for Order of Conditions	19R_Park_Ave_- _Findings_and_Special_Conditions- FINAL.pdf	19R Park Ave OOC Findings and Special Conditions
▣	Extension Permit for Order of Conditions	REVISED_Plans__submitted_11-2-17.pdf	19R Park Ave NOI Final Plans





TOWN OF ARLINGTON

MASSACHUSETTS

CONSERVATION COMMISSION

12/12/2017

**HAND DELIVERY**

**Pamela Hallett, Executive Director  
Housing Corporation of Arlington  
Address**

**RE: Order of Conditions for 19R Park Avenue - DEP File Number 91-0287.**

Enclosed is the original Order of Conditions permit for the above-referenced project, issued pursuant to the Wetlands Protection Act, GL c. 131, § 40, and the Arlington Bylaw for Wetland Protection, Title V, Article 8.

No work on the project may begin until ALL of the following requirements have been satisfied:

- ☐ You have signed and returned to this office the attached Certificate of Understanding.
- ☐ The 10-business day appeal period has elapsed. The appeal period begins on the date of issuance of the Order.
- ☐ You have had the original Order recorded at the Middlesex South Registry of Deeds and the receipt forwarded to the Conservation Commission. The Order is not valid until properly recorded.
- ☐ The DEP file number sign has been erected at the project entrance (as specified in the General Conditions).
- ☐ You have read and understand the enclosed Order of Conditions. Compliance with all conditions and the approved plans is the responsibility of the applicant. Deviation from the approved plans may result in a stop work order or further enforcement, as well as the inability to obtain a Certificate of Compliance.
- ☐ You have conducted a "pre-construction site visit" with the Conservation Administrator, installed erosion controls, submitted in writing the names and telephone numbers of the parties responsible for the work (such as the general contractor, erosion control monitor, field engineer, and wetland scientist), and submitted a schedule of construction, as applicable.
- ☐ Please note that there may be other specific requirements in your Order of Conditions, which may be required for your site. Please be sure to read the whole Order. It is your responsibility to comply with all aspects of the Order.

Upon completion of the project, you must submit:

- ☐ A "Request for a Certificate of Compliance" (state WPA form 8a) and
- ☐ An engineer-stamped and signed "as-built plan" to the Conservation Commission stating that all conditions have been satisfactorily completed in compliance with the plans and the Order.

Once received, your Certificate of Compliance must be recorded at the Middlesex South Registry of Deeds, and the receipt sent to the Conservation Office (as per the Wetlands Protection Regulations).

Please contact our office with any questions at 781-316-3012 or email [lshepherd@town.arlington.ma.us](mailto:lshepherd@town.arlington.ma.us).

Thank you,

Lela Shepherd  
Environmental Planner/Conservation Agent

Enclosures: Order of Conditions  
Certificate of Understanding

Cc:file, DEP-NERO



Received by

12-12-2017

Date

TOWN HALL, 730 MASSACHUSETTS AVENUE, ARLINGTON, MA 02476  
(781) 316-3012



TOWN OF ARLINGTON  
MASSACHUSETTS  
CONSERVATION COMMISSION

**CERTIFICATE OF UNDERSTANDING**

RE: Conditions and Restrictions in Wetland Resource Areas and Buffer Zones








Street Address: 19R Park Avenue

DEP File No: 91-0287

Owner: Housing Corporation of Arlington

Issue Date: 12/7/2017

I, Pamela Hallett, Executive Director for Housing Corporation of Arlington, do hereby acknowledge and understand that:

<ul style="list-style-type: none"><li>All or some of my property lies within wetland resource areas such that any <b>new work</b> within this area is subject to review and approval by the Conservation Commission;</li></ul>	 Initials
<ul style="list-style-type: none"><li>I, as property owner, am <b>responsible for all work on my property</b> even if it is conducted by contractors;</li></ul>	 Initials
<ul style="list-style-type: none"><li>I have received, <b>read and understand all the general and special conditions</b> contained in the referenced Order of Conditions;</li></ul>	 Initials
<ul style="list-style-type: none"><li>There are specific <b>requirements PRIOR to the start of work</b> which I agree to follow;</li></ul>	 Initials
<ul style="list-style-type: none"><li>There are specific <b>requirements DURING construction and work</b> which I agree to follow;</li></ul>	 Initials
<ul style="list-style-type: none"><li>There are specific <b>requirements for getting a Certificate of Compliance</b> once all permitted work is completed; and</li></ul>	 Initials
<ul style="list-style-type: none"><li>There are a number of <b>ongoing/perpetual conditions that restrict the kind of landscaping and maintenance activities</b> allowed within wetland resource areas and/or buffer zones.</li></ul>	 Initials

I have carefully reviewed and understand all of these requirements and agree to adhere to them.

  
Signature

  
Printed Name

12-12-2017  
Date



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands  
**WPA Form 5 – Order of Conditions**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:  
91-0287  
MassDEP File #  
eDEP Transaction #  
Arlington  
City/Town

## A. General Information

**Please note:**  
this form has  
been modified  
with added  
space to  
accommodate  
the Registry  
of Deeds  
Requirements

**Important:**  
When filling  
out forms on  
the  
computer,  
use only the  
tab key to  
move your  
cursor - do  
not use the  
return key.



1. From: Arlington  
Conservation Commission
2. This issuance is for  
(check one): a. ☒ Order of Conditions b. ☐ Amended Order of Conditions
3. To: Applicant:  

<u>Pamela</u> a. First Name	<u>Hallett, Executive Director</u> b. Last Name	
<u>Housing Corporation of Arlington</u> c. Organization		
<u>252 Massachusetts Ave</u> d. Mailing Address		
<u>Arlington</u> e. City/Town	<u>MA</u> f. State	<u>02474</u> g. Zip Code
4. Property Owner (if different from applicant):  

<u></u> a. First Name	<u></u> b. Last Name	
<u></u> c. Organization		
<u></u> d. Mailing Address		
<u></u> e. City/Town	<u></u> f. State	<u></u> g. Zip Code
5. Project Location:  

<u>19R Park Avenue</u> a. Street Address	<u>Arlington</u> b. City/Town
<u>60-5-11.D</u> c. Assessors Map/Plat Number	<u>60-5-11.D</u> d. Parcel/Lot Number
Latitude and Longitude, if known:	
<u>42d42m57s</u> d. Latitude	<u>-71d18m27s</u> e. Longitude



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 5 – Order of Conditions**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

91-0287

MassDEP File #

eDEP Transaction #

Arlington

City/Town

**A. General Information (cont.)**

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):

Middlesex

a. County

67880

c. Book

b. Certificate Number (if registered land)

10

d. Page

7. Dates: 9/15/2017 11/16/2017 12/7/2017  
a. Date Notice of Intent Filed b. Date Public Hearing Closed c. Date of Issuance

8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):

(See Documents Reviewed in the Attached Findings and Conditions)

a. Plan Title

b. Prepared By

c. Signed and Stamped by

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

**B. Findings**

1. Findings pursuant to the Massachusetts Wetlands Protection Act:

Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act (the Act). Check all that apply:

- a. ☐ Public Water Supply b. ☐ Land Containing Shellfish c. ☒ Prevention of Pollution  
d. ☐ Private Water Supply e. ☐ Fisheries f. ☒ Protection of Wildlife Habitat  
g. ☒ Groundwater Supply h. ☒ Storm Damage Prevention i. ☒ Flood Control

2. This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

**Approved** subject to:

- a. ☒ the following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.





Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 5 – Order of Conditions**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

91-0287

MassDEP File #

eDEP Transaction #

Arlington

City/Town

**B. Findings (cont.)**

**Denied** because:

- b. ☐ the proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect the interests of the Act, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**
- c. ☐ the information submitted by the applicant is not sufficient to describe the site, the work, or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the Act's interests, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**
3. ☒ Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310 CMR 10.02(1)(a) 2.5  
a. linear feet

**Inland Resource Area Impacts:** Check all that apply below. (For Approvals Only)

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. <input type="checkbox"/> Bank	a. linear feet	b. linear feet	c. linear feet	d. linear feet
5. <input type="checkbox"/> Bordering Vegetated Wetland	a. square feet	b. square feet	c. square feet	d. square feet
6. <input type="checkbox"/> Land Under Waterbodies and Waterways	a. square feet	b. square feet	c. square feet	d. square feet
	e. c/y dredged	f. c/y dredged		
7. <input checked="" type="checkbox"/> Bordering Land Subject to Flooding	<u>16,875</u>	increased by	<u>1.8 : 1 ratio</u>	
	a. square feet	b. square feet	c. square feet	d. square feet
Cubic Feet Flood Storage	<u>7,724</u>	<u>13,718</u>		
	e. cubic feet	f. cubic feet	g. cubic feet	h. cubic feet
8. <input type="checkbox"/> Isolated Land Subject to Flooding	a. square feet	b. square feet		
Cubic Feet Flood Storage	c. cubic feet	d. cubic feet	e. cubic feet	f. cubic feet
9. <input type="checkbox"/> Riverfront Area	a. total sq. feet	b. total sq. feet		
Sq ft within 100 ft	c. square feet	d. square feet	e. square feet	f. square feet
Sq ft between 100-200 ft	g. square feet	h. square feet	i. square feet	j. square feet



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 5 – Order of Conditions**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

91-0287

MassDEP File #

eDEP Transaction #

Arlington

City/Town

**B. Findings (cont.)**

**Coastal Resource Area Impacts:** Check all that apply below. (For Approvals Only)

	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
10. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below			
11. <input type="checkbox"/> Land Under the Ocean	a. square feet	b. square feet		
	c. c/y dredged	d. c/y dredged		
12. <input type="checkbox"/> Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
13. <input type="checkbox"/> Coastal Beaches	a. square feet	b. square feet	c. <sup>cu yd</sup> nourishment	d. <sup>cu yd</sup> nourishment
14. <input type="checkbox"/> Coastal Dunes	a. square feet	b. square feet	c. <sup>cu yd</sup> nourishment	d. <sup>cu yd</sup> nourishment
15. <input type="checkbox"/> Coastal Banks	a. linear feet	b. linear feet		
16. <input type="checkbox"/> Rocky Intertidal Shores	a. square feet	b. square feet		
17. <input type="checkbox"/> Salt Marshes	a. square feet	b. square feet	c. square feet	d. square feet
18. <input type="checkbox"/> Land Under Salt Ponds	a. square feet	b. square feet		
	c. c/y dredged	d. c/y dredged		
19. <input type="checkbox"/> Land Containing Shellfish	a. square feet	b. square feet	c. square feet	d. square feet
20. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, Inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above			
	a. c/y dredged	b. c/y dredged		
21. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	a. square feet	b. square feet		
22. <input type="checkbox"/> Riverfront Area	a. total sq. feet	b. total sq. feet		
Sq ft within 100 ft	c. square feet	d. square feet	e. square feet	f. square feet
Sq ft between 100-200 ft	g. square feet	h. square feet	i. square feet	j. square feet



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**B. Findings (cont.)**

\* #23. If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.5.c (BVW) or B.17.c (Salt Marsh) above, please enter the additional amount here.

23. ☐ Restoration/Enhancement \*:

a. square feet of BVW

b. square feet of salt marsh

24. ☐ Stream Crossing(s):

a. number of new stream crossings

b. number of replacement stream crossings

**C. General Conditions Under Massachusetts Wetlands Protection Act**

**The following conditions are only applicable to Approved projects.**

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
  - a. The work is a maintenance dredging project as provided for in the Act; or
  - b. The time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
  - c. If the work is for a Test Project, this Order of Conditions shall be valid for no more than one year.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order. An Order of Conditions for a Test Project may be extended for one additional year only upon written application by the applicant, subject to the provisions of 310 CMR 10.05(11)(f).
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not extend the issuance date of the original Final Order of Conditions and the Order will expire on N/A unless extended in writing by the Department.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.





**Massachusetts Department of Environmental Protection**  
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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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**C. General Conditions Under Massachusetts Wetlands Protection Act**

8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.
9. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work.
10. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,

"Massachusetts Department of Environmental Protection" [or, "MassDEP"]  
"File Number                      91-0287                      "
11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before MassDEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.



**Massachusetts Department of Environmental Protection**  
**Bureau of Resource Protection - Wetlands**

**WPA Form 5 – Order of Conditions**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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**C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)**

17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.
18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.
19. The work associated with this Order (the "Project")
  - (1) ☒ is subject to the Massachusetts Stormwater Standards
  - (2) ☐ is NOT subject to the Massachusetts Stormwater Standards

**If the work is subject to the Stormwater Standards, then the project is subject to the following conditions:**

- a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Construction General Permit as required by Stormwater Condition 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.
- b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that:
  - i. all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures;
  - ii. as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized;
  - iii. any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10;



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**C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)**

iv. all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition;

v. any vegetation associated with post-construction BMPs is suitably established to withstand erosion.

c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 18(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement") for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following:

i.) the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and

ii.) the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.

d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Multi-Sector General Permit.

e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 18(f) through 18(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 18(f) through 18(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.

f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.



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**C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)**

- g) The responsible party shall:
  - 1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
  - 2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
  - 3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.
- h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
- i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.
- j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.
- k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.
- l) Access for maintenance, repair, and/or replacement of BMPs shall not be withheld. Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.

Special Conditions (if you need more space for additional conditions, please attach a text document):

**See attached 7 pages, conditions # 21-48 applicable under the Wetlands Protection Act and the Arlington Wetlands Protection Bylaw.**

- 20. For Test Projects subject to 310 CMR 10.05(11), the applicant shall also implement the monitoring plan and the restoration plan submitted with the Notice of Intent. If the conservation commission or Department determines that the Test Project threatens the public health, safety or the environment, the applicant shall implement the removal plan submitted with the Notice of Intent or modify the project as directed by the conservation commission or the Department.



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**D. Findings Under Municipal Wetlands Bylaw or Ordinance**

1. Is a municipal wetlands bylaw or ordinance applicable? ☒ Yes ☐ No
2. The Arlington hereby finds (check one that applies):  
Conservation Commission

- a. ☐ that the proposed work cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw, specifically:

1. Municipal Ordinance or Bylaw

2. Citation

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order of Conditions is issued.

- b. ☒ that the following additional conditions are necessary to comply with a municipal ordinance or bylaw:

Arlington Bylaw for Wetlands Protection

Title V, Art 8

1. Municipal Ordinance or Bylaw

2. Citation

3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.

The special conditions relating to municipal ordinance or bylaw are as follows (if you need more space for additional conditions, attach a text document):

See attached 7 pages, conditions # 21-48.



Massachusetts Department of Environmental Protection  
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**WPA Form 5 – Order of Conditions**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:  
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## E. Signatures

This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.

12/7/2017

1. Date of Issuance

Please indicate the number of members who will sign this form.

This Order must be signed by a majority of the Conservation Commission.

2. Number of Signers

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office, if not filing electronically, and the property owner, if different from applicant.

Signatures:

*[Handwritten signatures in blue and black ink over horizontal lines]*

☐ by hand delivery on

☐ by certified mail, return receipt requested, on

Date

Date

## F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order, or providing written information to the Department prior to issuance of a Superseding Order.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.



**Massachusetts Department of Environmental Protection**  
**Bureau of Resource Protection - Wetlands**  
**WPA Form 5 – Order of Conditions**  
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Provided by MassDEP:  
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City/Town

## G. Recording Information

Prior to commencement of work, this Order of Conditions must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information on this page shall be submitted to the Conservation Commission listed below.

Arlington 730 Massachusetts Ave, Arlington MA 02476  
Conservation Commission

Detach on dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission.

To:

Arlington  
Conservation Commission

Please be advised that the Order of Conditions for the Project at:

19R Park Avenue  
Project Location

91-0287  
MassDEP File Number

Has been recorded at the Registry of Deeds of:

Middlesex  
County

Book

Page

for: Housing Corporation of Arlington  
Property Owner

and has been noted in the chain of title of the affected property in:

Book

Page

In accordance with the Order of Conditions issued on:

12/7/2017  
Date

If recorded land, the instrument number identifying this transaction is:

Instrument Number

If registered land, the document number identifying this transaction is:

Document Number

Signature of Applicant



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

**Request for Departmental Action Fee  
Transmittal Form**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

91-0287

Provided by DEP

**A. Request Information**

1. Location of Project

a. Street Address

b. City/Town, Zip

c. Check number

d. Fee amount

2. Person or party making request (if appropriate, name the citizen group's representative):

Name

Mailing Address

City/Town

State

Zip Code

Phone Number

Fax Number (if applicable)

3. Applicant (as shown on Determination of Applicability (Form 2), Order of Resource Area Delineation (Form 4B), Order of Conditions (Form 5), Restoration Order of Conditions (Form 5A), or Notice of Non-Significance (Form 6)):

Name

Mailing Address

City/Town

State

Zip Code

Phone Number

Fax Number (if applicable)

4. DEP File Number:

**Important:**  
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



**B. Instructions**

1. When the Departmental action request is for (check one):

- ☐ Superseding Order of Conditions – Fee: \$120.00 (single family house projects) or \$245 (all other projects)
- ☐ Superseding Determination of Applicability – Fee: \$120
- ☐ Superseding Order of Resource Area Delineation – Fee: \$120





**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

**Request for Departmental Action Fee  
Transmittal Form**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

91-0287

Provided by DEP

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**B. Instructions (cont.)**

Send this form and check or money order, payable to the *Commonwealth of Massachusetts*, to:

Department of Environmental Protection  
Box 4062  
Boston, MA 02211

2. On a separate sheet attached to this form, state clearly and concisely the objections to the Determination or Order which is being appealed. To the extent that the Determination or Order is based on a municipal bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.
3. Send a **copy** of this form and a **copy** of the check or money order with the Request for a Superseding Determination or Order by certified mail or hand delivery to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/>).
4. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

**DeVellis Zrein Inc.**  
PO Box 307  
Foxboro, MA 02035  
Tel. (508) 473-4114 Fax. 774-215-0631  
[www.develliszrein.com](http://www.develliszrein.com)

City of Arlington Conservation Commission  
Attn: Emily Sullivan, Environmental Planner/Conservation Agent  
730 Massachusetts Avenue Annex  
Arlington, MA 02476

September 8, 2020

Re: Order of Conditions Extension Request  
OCC#91-0287  
Downing Square Development  
19R Park Avenue

Dear Ms. Sullivan and Members of the Commission:

Pursuant to M.G.L. Chapter 131, Section 40 and the Arlington Regulations for Wetland Protection, and on behalf our client, *Housing Corporation of Arlington*, we are hereby submitting an Extension of the Order of Conditions #91-0287 for the above subject property. We request an extension of three years.

In support of our request for the extension, please note the following:

1. The work started in mid 2019 but has since been delayed due to the site hazardous waste cleanout efforts and the COVID-19 situation.
2. All the information pertaining to the wetlands resource areas have remained the same since the issuance of the Order of Conditions (OCC).
3. The work is progressing but the site final stabilizing scope of the areas adjacent to the wetland resource areas will not take place until the final phase of the construction.
4. The Resource Areas delineation has remained accurate
5. No work has been done in violation of the OCC.

Should you have any questions concerning this request or require additional information, please do not hesitate to contact me at (508) 473-4114 or at [izrein@develliszrein.com](mailto:izrein@develliszrein.com).

Thank you in advance for your continued assistance and consideration.

Sincerely,

**DEVELLIS ZREIN INC.**



**Imad A Zrein, P.E.**  
**Partner**

DOCUMENTS REVIEWED

1. Notice of Intent for work at 19R Park Avenue, Arlington, MA, signed by James J. DeVellis, P.E. of DeVellis Zrein, Inc. on the Applicant: Arlington Housing Corporation of Arlington, dated September 13, 2017, including Drainage Report and Stormwater Management Plan of September 13, 2017 by DeVellis Zrein, Inc.
2. Plans accompanying Notice of Intent, by DeVellis Zrein, Inc. and Goddard Consulting, LLC, dated August 28, 2017, with Cover Sheet and sheets SP-1, C-1, C-2, C-3, C-4, and C-5.
3. Drainage Report and Stormwater Management Plan of September 13, 2017, revised October 12, 2017 by DeVellis Zrein, Inc.
4. Plans accompanying Notice of Intent, by DeVellis Zrein, Inc. and Goddard Consulting, LLC, dated August 28, 2017, revised October 11, 2017, with Cover Sheet and sheets SP-1, C-1, C-2, C-3, C-4, and C-5.
5. Fee Waiver Request, September 14, 2017
6. Notice of Intent Plan Update Submission by James J. DeVellis, P.E., dated November 6, 2017, with alternatives analysis, Stormwater Operations and Maintenance Plan, revised through November 11, 2017.
7. Request for Variance from 2:1 Compensatory Flood Storage, by James J. DeVellis, P.E., dated November 6, 2017.
8. Letter from James J. DeVellis, P.E. to DEP Northeast Regional Office re: DEP File No. 091-0287, dated November 7, 2017.
9. Letter from GEI Consultants to Pamela Hallett, Housing Corp of Arlington, re: Scope of Work for TSCA PCB Characterization, dated May 9, 2017.
10. Plans accompanying Notice of Intent, by DeVellis Zrein, Inc. and Goddard Consulting, LLC, dated August 28, 2017, revised October 11, 2017 and November 2, 107, with Cover Sheet and sheets SP-1, C-1, C-2, C-3, C-4, and C-5.
11. Survey dated March 12, 2004 showing existing buildings on site.
12. GEI Property Plan dated August 2016 showing current foundations on site.
13. Site Plan Sheet #2 from GZA, dated February 2009.
14. PCB in Soil Plan from GZA, dated May 7, 2009.

15. Memo dated October 19, 2015 from GEI to Housing Corp of Arlington regarding clean-up costs.
16. Undated from GEI regarding no written cleanup plan yet.
17. eDEP Transaction Copy of BWSC107 Tier Classification Form, dated April 4, 2017.
18. Scope of Work for TSCA PCB Characterization from GEI to Housing Corp of Arlington, dated May 9, 2017.
19. Periodic Review Opinion and Post-Temporary Solution Status Report, by GEI Consultants, dated July 28, 2017.
20. DRAFT Phase I and II Environmental Site Assessment, 19R Park Ave, Arlington, by GEI Consultants, November 18, 2013.
21. Phase I and II Environmental Site Assessment, 19R Park Ave, Arlington, by GEI Consultants, February 24, 2014.
22. ASTM Phase I Environmental Site Assessment, 117 Broadway, Arlington, by GEI Consultants, October 17, 2016.
23. Noise Abatement and Control – Checklist for HUD or Responsible Entity, Feb. 2015.
24. HUD Sound Compliance Monitoring, by Tech Environmental, August 14, 2017.
25. Phase I and II Reports dated February 28, 2014.
26. Updated Phase I Environmental Site Assessment, 19R Park Avenue, Arlington, GEI Consultants, dated August 11, 2016.
27. Soil Management and Boring Location Plan (Total PCBs 0-2 feet), Draft, Fig 3, November 2017, by GEI Consultants.
28. Soil Management and Boring Location Plan (Total PCBs 2-4 feet), Draft, Fig 4, November 2017, by GEI Consultants.
29. Soil Management and Boring Location Plan (Total PCBs 4-6 feet), Draft, Fig 5, November 2017, by GEI Consultants.
30. Soil Management and Boring Location Plan (Total PCBs 6-8 feet), Draft, Fig 6, November 2017, by GEI Consultants.
31. Soil Management and Boring Location Plan (Total PCBs 8-10 feet), Draft, Fig 7, November 2017, by GEI Consultants.

32. ASTM Phase I Environmental Site Assessment, 117 Broadway, Arlington, by GEI Consultants, October 17, 2016.

PROCEDURAL SUMMARY

The Conservation Commission held public hearings on the Notice of Intent on October 19, 2017 and November 16, 2017. At the October 19, 2017 hearing, the Commission voted 6-0 to waive a portion of the filing fee under the Arlington Wetlands Protection Bylaw (the “Bylaw”). The Commission closed the hearing on November 16, 2017 and deliberated and voted 6-0 to grant the requested variance, and voted 6-0 to approve the Project with conditions under the Wetlands Protection Act (the “Act”) and voted 6-0 to approve the Project with conditions under the Bylaw.

FINDINGS OF FACT AND LAW  
UNDER ARLINGTON WETLANDS PROTECTION BYLAW  
AND WETLANDS PROTECTION ACT

- A. The Project as revised and approved involves the construction of two buildings, containing 34 residential units with associated site improvements, including parking area, pedestrian pathways, landscaping, lighting, stormwater management (including two stormceptor units), and utilities. The residential units will be restricted to low- and moderate-income occupants. The Project also includes construction of a pedestrian bridge from the Project site across land and the No Name Brook for access to the Minuteman Bikeway. The Project also involves remediation activities pursuant to M.G.L. c. 21E and the Massachusetts Contingency Plan (“MCP”), as well as the Toxic Substances Control Act, due to the presence of Hazardous Materials on the project site.
- B. The Project site is approximately 0.88 acres, located at the southwest corner of the intersection of Park Avenue and Lowell Street. The Minuteman Bikeway parallels the southern property boundary, with an intermittent stream known as No Name Brook or Bow Run between the Bikeway and property line.
- C. The project site was formerly occupied by a welding shop, automotive shop, community vehicle storage garage, scrap yard, and other uses. Portions of foundations for such buildings are present on the site, some below the surface. The former buildings were demolished in 2004. The site presently is vacant and overgrown with vegetation. The former buildings were located closer to the adjacent stream and Minuteman Bikeway than the Project proposes.
- D. The following Resource Areas are present on the site or within 100 feet of the lot lines: stream, Bank to stream, Adjacent Upland Resource Area (“AURA”) (Bylaw) and Buffer Zone (Act) to Bank, and Bordering Land Subject to Flooding (BLSF: the 100-year (1 % chance) floodplain). The Commission finds accurate the delineation of Resource Areas shown on the approved Project Plan.

- E. The project is approved with a variance from the requirements for work in Border Land Subject to Flooding. The variance allows for an average volume ratio of 1.8 to 1 storage to fill, rather than the 2 to 1 required in the Commission's wetland regulations.
- F. Many years ago, the Commission approved a multi-unit residential development project at this site, but that project never commenced.
- G. In August 2016, the Applicant, Housing Corporation of Arlington, became owner of the site.
- H. The planting schedule on plan sheet C-3 meets the requirements of Section 25 of the Commission's regulations for Vegetation Replacement. Six trees with a combined caliper of 47 inches will be replaced with 17 trees with a combined caliper of 51 inches. Additionally, shrubs and perennials will be installed.
- I. The Resource Areas on and adjacent to the Property are significant to the Resource Area values protected by the Act and by the Bylaw, as specified in the Bylaw Regulations and 310 CMR 10.00 for each Resource Area.
- J. The existing foundations constitute an existing structure within 50 feet of the adjacent resource area within the AURA.
- K. The Commission finds that the Applicant met its burden of demonstrating that no other reasonable alternatives were available or practicable for work in the AURA as required in Section 25 of the Commission's Regulations for Wetlands Protection.
- L. The Applicant revised its stormwater management plan and calculations several times in response to comments.
- M. Based on the testimony at the public hearings, and review of the application materials and the documents listed above submitted during the public hearings, the Commission concludes that while the proposed Project will alter Resource Areas under the Act and Bylaw, the work as conditioned will not have significant or cumulative effects upon the interests of the Wetlands Protection Act or the Resource Area values of the Arlington Wetlands Bylaw when the conditions imposed are implemented to protect the Resource Area values. With the conditions contained herein, the Project meets the performance standards in the Bylaw Regulations and state Wetlands Regulations, 310 CMR 10.00.

Additional Special Conditions

In addition to the General Conditions (numbered 1 – 20 above), the Project is subject to the following Additional Special Conditions (under both the Act and Bylaw):

- 21. Work permitted by this Order and Permit shall conform to the Notice of Intent, the approved plans and documents (listed above), and oral representations (as recorded in hearing minutes) submitted or made by the Applicant and the Applicant's agents or representatives, as well as

any plans and other data, information or representations submitted per these Conditions and approved by the Commission.

22. The provisions of this Order and Permit shall apply to and be binding upon the Applicant and Applicant's assignees, tenants, property management company, employees, contractors, and agents.
23. No work shall be started under this Order until: (a) all other required permits or approvals have been obtained and (b) the appeal period of ten (10) business days from the date of issue of this Order has expired without any appeal being filed. No work shall be started under this Permit until all other necessary permits or approvals have been obtained.
24. The Applicant shall ensure that a copy of this Order of Conditions and Permit for work, with any referenced plans, is available on site at all times, and that contractors, site managers, foremen, and sub-contractors understand its provisions.
25. Prior to starting work, the Applicant shall submit to the Commission the names and 24-hour phone numbers of project managers or the persons responsible for site work or mitigation.
26. Before work begins, erosion and sediment controls shall be installed at the limits of the work area. These will include a silt fence and straw wattle or staked strawbales around the entire work area (haybales are not allowed).
27. The contractor shall contact the Conservation Agent ([lshepherd@town.arlington.ma.us](mailto:lshepherd@town.arlington.ma.us); 781-316-3012) to arrange for a site walk to confirm the installation and placement of erosion controls prior to the start of any grading or construction work.
28. All dumpsters must be covered at the end of each work day, and no dumpsters will be allowed overnight within the 100 foot Buffer Zone or Adjacent Upland Resource Areas ("AURA") or other Resource Areas.
29. No uncovered stockpiling of materials shall be permitted overnight within 100 feet of any waterway or water body.
30. Areas that are disturbed by construction and access activities shall as soon as possible be brought to final grade and reseeded and restabilized, and shall be done so prior to the removal of the erosion control barrier.
31. Arrangements shall be made for any rinsing of tools, equipment, etc. associated with on-site mixing or use of concrete or other materials such that the waste water is disposed of in the concrete wash out station-at least 50 feet from the resource area, as stated on the project plans. In no case may waste water be discharged into or onto Resource Areas on or adjacent to the site. In no case may waste water be placed in stormdrains. Any spillage of materials shall be cleaned up promptly.

32. Any dirt or debris spilled or tracked onto any paved streets shall be swept up and removed daily.
33. It is understood that there are hazardous materials on the site that may be encountered during excavation work. Clean up of these materials shall conform to the requirements and standards of State law and regulations.
34. No heavy equipment may be stored overnight within 50 feet of the wetland and no refueling or maintenance of machinery shall be allowed within the 100-foot Buffer Zone and Adjacent Upland Resource Area or within any Resource Area.
35. The Commission, its employees and its agents shall have the right of entry onto the site to inspect for compliance with the terms of this Order of Conditions and Permit.
36. When requesting a Certificate of Compliance for this Order of Conditions, the Applicant must submit a written statement from a Massachusetts professional engineer, registered land surveyor, or registered landscape architect certifying that the completed work complies with the plans referenced in this Order, or provide an as-built plan and statement describing any differences.
37. At least 21 days prior to work commencing, the Applicant shall submit to the Commission for its review and approval the dewatering plan from the Applicant's Phase IV report.
38. Dewatering effluent shall not be discharged into any Resource Area.
39. The Applicant shall consider replacing the proposed *Taxus* trees for something less harmful to public health and shall consider using a greater diversity of tree and plant species.
40. The Applicant shall implement tree protection measures as specified in the Commission's Bylaw Regulations. The Applicant shall protect, to the extent practicable, trees on or just beyond the western boundary of the Project site.
41. A dust mitigation plan must be submitted to the Commission prior to work commencing and must be adhered to during all work.
42. No building utilities other than utility lines shall be located in the basement or below the elevation of the 100-year floodplain. Stormwater storage is permitted below the building.
43. Stormceptor units shall be inspected quarterly for the first two years following occupancy of the first residential unit; the date of and level of sediments shall be noted for each inspection. Stormceptor units shall be cleaned out annually for the first two years following occupancy of the first unit. Within 60 days of the end of the each year of the initial two-year period, the Applicant shall file a report with the Commission specifying the dates of each inspection and levels observed and proposing how frequently inspections shall be conducted in subsequent years. Based on said annual reports, the Commission shall establish the frequency of inspection.



44. There shall be no stock piling of excavated soils within 50 feet of No Name Brook.
45. Metals found in the soil during PCB excavation shall be addressed and appropriately disposed as per M.G.L. c. 21E and the Massachusetts Contingency Plan to meet all applicable standards for residential use and protection of environmental resources.
46. Stormwater drainage systems shall be maintained in accordance with the project plans and "Operation and Maintenance Plan". No components may be replaced without the permission of the Conservation Commission. **This shall be a continuing condition that survives the expiration of the permit and shall be included in any Certificate of Compliance as a continuing condition.**
47. Pervious surfaces shown on the project plans shall be maintained and not be replaced by impervious surfaces. **This shall be a continuing condition that survives the expiration of the permit and shall be included in any Certificate of Compliance as a continuing condition.**
48. The landscaping shown on Sheet C-3 shall be maintained. **This shall be a continuing condition that survives the expiration of the permit and shall be included in any Certificate of Compliance as a continuing condition.**

# NOTICE OF INTENT

## DOWNING SQUARE DEVELOPMENT

19 R PARK AVENUE  
ARLINGTON, MASSACHUSETTS

AUGUST 28, 2017  
REVISED: OCTOBER 11, 2017  
REVISED: NOVEMBER 02, 2017

OWNER

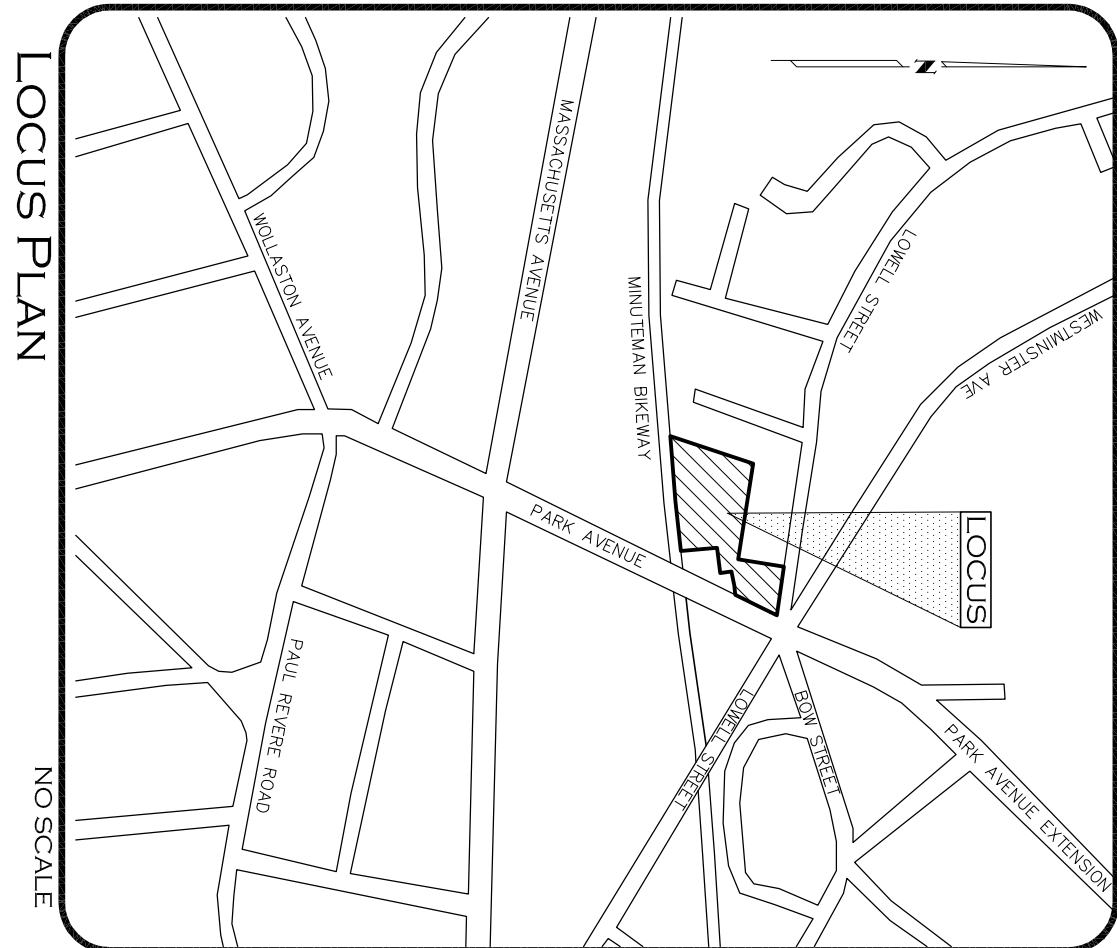
Housing Corporation of Arlington  
252 Massachusetts Avenue  
Arlington, MA 02474

CIVIL ENGINEER

DeVellis Zrein Inc.  
P.O. Box 307  
Foxborough, MA 02035  
508.473.4114

BOTANIST

Goddard Consulting, LLC  
291 Main Street  
Northborough, MA 01532  
508.393.3784



LOCUS PLAN

NO SCALE

LIST OF DRAWINGS

SP-1	Cover Sheet
C-1	Erosion and Sedimentation Control Plan
C-2	Layout and Materials Plan
C-3	Grading and Drainage Plan
C-4	Planting Plan
C-5	Detail Sheet
	Detail Sheet

19R PARK AVENUE  
ARLINGTON, MA

1. ALL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO ANY SITE EXCAVATION OR DISTURBANCE AND SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PROCESS TO PREVENT ANY DETRIMENTAL EFFECT OF LAND SHALL BE DEPOSED AT ANY ONE TIME.
2. SILT SACS SHALL BE INSTALLED AT ALL CATCH BASINS UNTIL PAVEMENT IS INSTALLED AND SITE IS STABILIZED. SALTATION TRACES SHALL BE MAINTAINED AND CLEANED UNTIL ALL SLOPES HAVE BEEN STABILIZED.
3. SEGMENT BARRIERS SHALL BE INSPECTED AND APPROVED BY THE CONSERVATION COMMISSION AND / OR STAFF BEFORE CONSTRUCTION CAN START.
4. THE UNDERSIDE OF SILT FENCE SHOULD BE KEPT IN CLOSE CONTACT WITH THE EARTH AND RESET AS NECESSARY.
5. STABILIZE SLOPES EXPOSED FROM 3" (VERTICAL) VERTICAL, WITH SILT SACKS, STABILIZATION MATS, OR OTHER EROSION CONTROL, OR REPAIR AS REQUIRED TO PREVENT EROSION DURING CONSTRUCTION.
6. CLEAN OUT CATCH BASINS, DRAIN MANHOLES, STORM DRAIN PIPES, AND DETENTION BASINS AFTER COMPLETION OF CONSTRUCTION.
7. ALL COLLECTED SEGMENT AND DISCARDED TEMPORARY EROSION CONTROL MATERIALS SHALL BE DISPOSED OF PROPERLY TO AN APPROVED LOCATION.
8. AFTER ALL DISTURBED AREAS HAVE BEEN STABILIZED, CONTRACTOR TO REMOVE ALL TEMPORARY EROSION CONTROL MEASURES AT THE OWNER'S REPRESENTATIVE'S REQUEST.
9. AFTER THE EXPIRY OF TEMPORARY EROSION CONTROL MEASURES, CONTRACTOR TO REMOVE AND SEED AREAS OF TEMPORARY EROSION CONTROL MEASURE.
10. DAMAGED OR DETEIORATED ITEMS WILL BE REPAIRED IMMEDIATELY AFTER IDENTIFICATION OR AS DIRECTED BY THE OWNER'S REPRESENTATIVE.

THE CONTRACTOR'S SITE SUPERINTENDENT WILL BE RESPONSIBLE FOR DAILY INSPECTIONS, MAINTENANCE, AND REPAIR ACTIVITIES.

1. CONSTRUCT TEMPORARY AND PERMANENT EROSION CONTROL FACILITIES, EROSION CONTROL FACILITIES SHALL BE INSTALLED PRIOR TO ANY EARTHMOVING.
2. CLEAR CUT, DEMOLISH, AND DISPOSE OF EXISTING SITE ELEMENTS NOT TO REMAIN.
3. GRADE AND GRAVEL ALL PAVED AREAS, ALL PROPOSED PAVED AREAS SHALL BE STABILIZED IMMEDIATELY AFTER GRADING.
4. BEGIN ALL PERMANENT AND TEMPORARY SEEDING AND MULCHING, ALL CUT AND TILL SLOPES SHALL BE SEEDED AND MULCHED IMMEDIATELY AFTER THEIR CONSTRUCTION.
5. DAILY, OR AS REQUIRED, CONSTRUCT TEMPORARY BERM, BRANK DITCHES, SLIT FENCES, MULCH AND SEED AS REQUIRED.
6. FINISH PAVING ALL HARD SURFACE AREAS.
7. INSPECT AND MAINTAIN ALL EROSION AND SEDIMENT CONTROL MEASURES.
8. COMPLETE PERMANENT SEEDING AND LANDSCAPING.
9. REMOVE TEMPORARY EROSION CONTROL MEASURES.
10. THE CONSTRUCTION SEQUENCE SHALL BE CONFINED TO THE LIMIT OF GRADING AS SHOWN ON THE DRAWINGS.
11. UPON COMPLETION OF CONSTRUCTION THE OWNER SHALL AGREE TO MAINTAIN AND CLEAN ALL BRANKAGE STRUCTURES ON A YEARLY BASIS.



11.02.17	PER CON.	COM.	COMMENTS
10.11.17	MISC.	REVISIONS	

SP-1

19R PARK AVENUE  
ARLINGTON, MA

1. EXISTING CONDITIONS INFORMATION IS REPRODUCED FROM THE SURVEY PREPARED BY NITSCH ENGINEERING OF BOSTON MA AND IS DATED OCTOBER 22, 2013 AND REVISED THROUGH 3-22-2017.

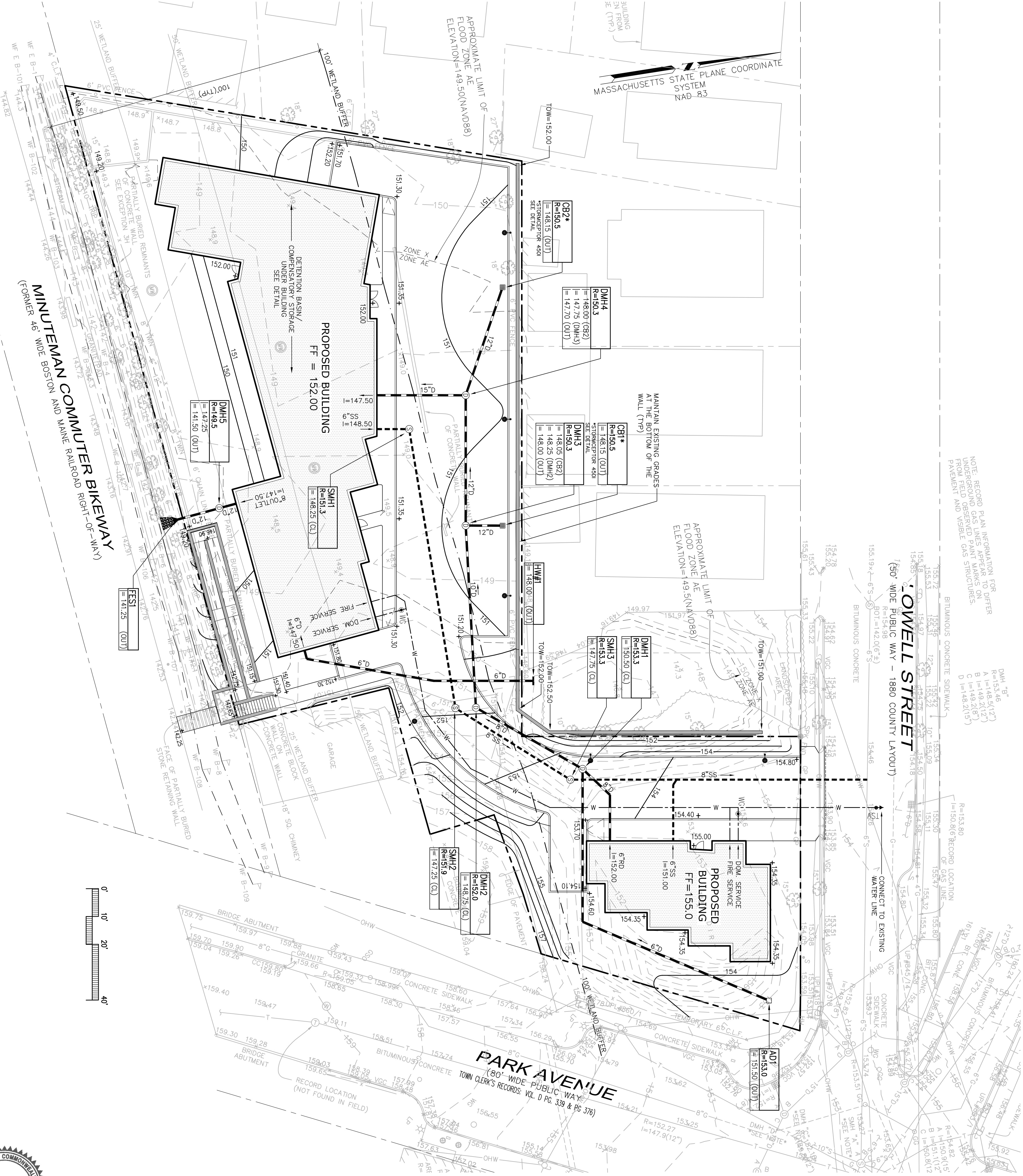
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- COMMONWEALTH OF MASSACHUSETTS  
 PROFESSIONAL ENGINEER  
 IMAD A. ZREIN  
 NO. 37291  
 CIVIL
- 11/19/17

Ω



GRADING AND UTILITY NOTES

- EXISTING CONDITIONS INFORMATION IS REPRODUCED FROM THE SURVEY PREPARED BY NITSCHE ENGINEERING OF BOSTON, MA AND IS DATED OCTOBER 22, 2013 AND REVISED THROUGH 03/22/2017.
- PRIOR TO THE START OF ANY EXCAVATION FOR THE PROJECT, BOTH ON AND OFF THE SITE, THE CONTRACTOR SHALL NOTIFY DOSAGE AND BE PROVIDED WITH A DOSAGE NUMBER INDICATING THAT ALL EXISTING UTILITIES HAVE BEEN LOCATED AND MARKED.
- CONTRACTOR TO ADJUST UTILITY ELEMENT MEANT TO BE FLUSH WITH GRADE (CLEAN-OUTS, UTILITY MANHOLES, CATCH BASINS, INLETS, ETC.) THAT IS AFFECTED BY SITE WORK OR GRADE CHANGES, WHETHER SPECIFICALLY NOTED ON PLANS OR NOT.
- ALL CONSTRUCTION TO BE DONE IN ACCORDANCE WITH THE TOWN OF ARLINGTON DEPARTMENT OF PUBLIC WORKS STANDARDS.
- ALL WORK TO BE DONE WITHIN PUBLIC RIGHT-OF-WAYS SHALL CONFORM TO THE REQUIREMENTS AND SPECIFICATIONS OF TOWN OF ARLINGTON.
- THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MAY BE INCURRED DUE TO THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ALL UNDERGROUND UTILITIES.
- WHERE AN EXISTING UTILITY IS FOUND TO CONFLICT WITH THE PROPOSED WORK, THE LOCATION, ELEVATION, AND SIZE OF THE UTILITY SHALL BE ACCURATELY DETERMINED WITHOUT DELAY BY THE CONTRACTOR, AND THE INFORMATION FURNISHED TO THE ENGINEER FOR RESOLUTION OF THE CONFLICT.
- THE CONTRACTOR SHALL ALTER THE MASONRY OF THE TOP SECTION OF ALL EXISTING DRAINAGE STRUCTURES AS NECESSARY TO MAINTAIN PROPER GRADE, RESTORE MANHOLE AND DRAINAGE FRAMES, GRATES, AND BOXES TO THE PROPOSED FINISH SURFACE GRADE. THE CONTRACTOR SHALL MAKE ALL ARRANGEMENTS FOR THE ALTERATION AND ADJUSTMENT OF ALL GAS, ELECTRIC, TELEPHONE, AND ANY OTHER PRIVATE UTILITIES BY THE UTILITY COMPANIES.
- CONTRACTOR SHALL MAINTAIN, OR ADJUST TO NEW FINISH GRADE, AS NECESSARY ALL BUILDING AND SITE STRUCTURES SUCH AS: LIGHT POLES, SIGN POLES, MANHOLES, CATCH BASINS, AND GAS STRUCTURES, OR OTHER STRUCTURES, PRIOR TO ANY UNDERGROUND UTILITY AND SITE SYSTEMS, UNLESS OTHERWISE NOTED OR DIRECTED BY OWNER'S REPRESENTATIVE.
- ALL GRAVITY SEWER PIPES SHALL BE PVC PER ASTM D3034, SDR-35 AND ASTM D1784 WITH RUBBER GASKET JOINTS.
- SITE LIGHTING IS SHOWN ON THIS PLAN FOR COORDINATION PURPOSES ONLY. REFER TO ELECTRICAL PLANS FOR EXACT TYPE AND LOCATION.
- REFER TO ELECTRICAL PLANS FOR SECTIONS AND DETAILS OF THE UTILITY DUCT BANK.
- AREAS OUTSIDE THE LIMITS OF PROPOSED WORK DISTURBED BY THE CONTRACTOR'S OPERATIONS SHALL BE RESTORED BY THE CONTRACTOR TO THEIR ORIGINAL CONDITION, AT THE CONTRACTOR'S EXPENSE.
- REFER TO ARCHITECTURAL PLANS FOR PROPOSED LOCATION OF UTILITY SERVICE STUBS AT BUILDING.
- THE LOCATION, SIZE, DEPTH, AND SPECIFICATIONS FOR CONSTRUCTION OF PRIVATE UTILITY SERVICE STUBS SHALL BE APPROVED BY THE TOWN OF ARLINGTON, AND SHALL BE APPROVED BY THE RESPECTIVE UTILITY COMPANY (GAS, TELEPHONE, ELECTRICAL, FINAL DESIGN AND LOCATIONS AT THE BUILDING WILL BE PROVIDED BY THE ARCHITECT. THE CONTRACTOR SHALL COORDINATE THE INSTALLATION OF THE UTILITY CONNECTIONS WITH THE RESPECTIVE COMPANIES PRIOR TO ANY UTILITY CONSTRUCTION.
- WHERE PROPOSED GRADES MEET EXISTING GRADES, CONTRACTOR SHALL BLEND GRADES TO PROVIDE A SMOOTH TRANSITION BETWEEN EXISTING AND NEW WORK. PONDING AT TRANSITION AREAS WILL NOT BE ALLOWED.
- CONTRACTOR SHALL MAINTAIN POSITIVE DRAINAGE AWAY FROM ALL BUILDING FOUNDATIONS, STRUCTURES AND PLANTING BEDS.
- ENSURE ALL EXISTING (TO REMAIN), AND PROPOSED MANHOLE COVERS PROPERLY IDENTIFY UTILITY SERVICES.
- CONTRACTOR SHALL VERIFY EXISTING GRADES AND NOTIFY OWNER'S REPRESENTATIVE OF ANY DISCREPANCIES.
- BUTYMNIOUS CONCRETE ELEVATIONS AT CATCH BASINS TO BE 1/4 INCH ABOVE RIM ELEVATION SHOWN FOR CATCH.
- SCREENED MAGS SHOW EXISTING CONDITIONS. WHERE EXISTING CONDITIONS LIE UNDER OR ARE IMPEDED UPON BY PROPOSED BUILDINGS AND/OR SITE ELEMENTS, THE EXISTING CONDITION WILL BE REMOVED, ABANDONED AND/OR CAPPED OR DEMOLISHED AS REQUIRED.
- ALL EXISTING LINED DUCTILE IRON JOINTS AT FITTINGS (CLASS 52) VALVES, AND HOBGRANT LOCATIONS SHALL BE PUSH-ON TYPE WITH NEOPRENE OR SYNTHETIC RUBBER GASKETS. ALL WATER GATES SHALL OPEN AS PER TOWN REQUIREMENTS. ALL WATER LINES SHALL HAVE A MINIMUM OF 5.5 FEET OF GROUND COVER.



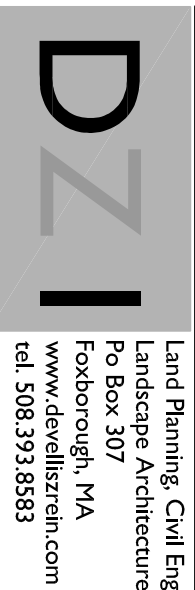
DOWNING  
SQUARE

19R PARK AVENUE  
ARLINGTON, MA

GRADING AND UTILITY LEGEND

- PROPERTY LINE
- SEWER LINE
- DRAIN LINE
- WATER LINE
- GAS LINE
- UNDERGROUND ELECTRIC, TELEPHONE, FIRE ALARM
- PROPOSED CONTOUR LINE
- SPOT GRADE
- CATCH BASIN
- AREA DRAIN
- FLARED END SECTION
- DMH
- AD
- FES
- WC
- SH
- RD
- TOP OF WALL ELEVATION
- HEADWALL

DeVellis Zrein Inc.



GRADING AND  
DRAINAGE PLAN

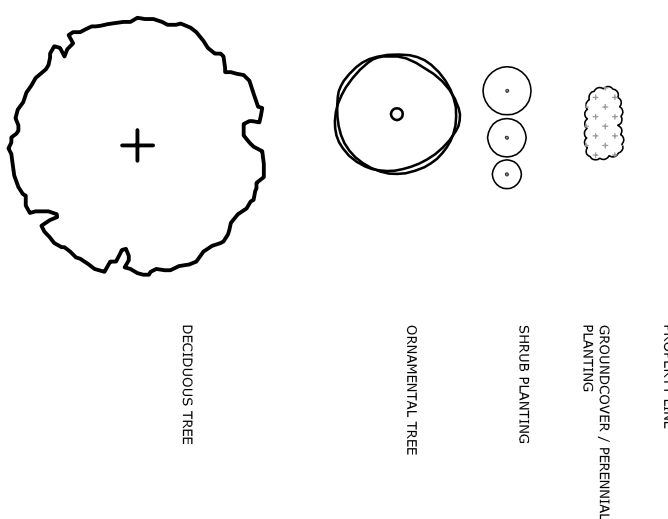
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DOWNING  
SQUARE

19R PARK AVENUE  
ARLINGTON, MA

PLANTING LEGEND



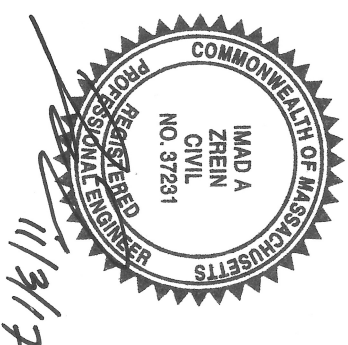
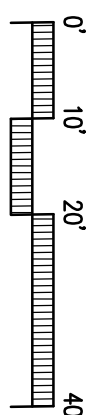
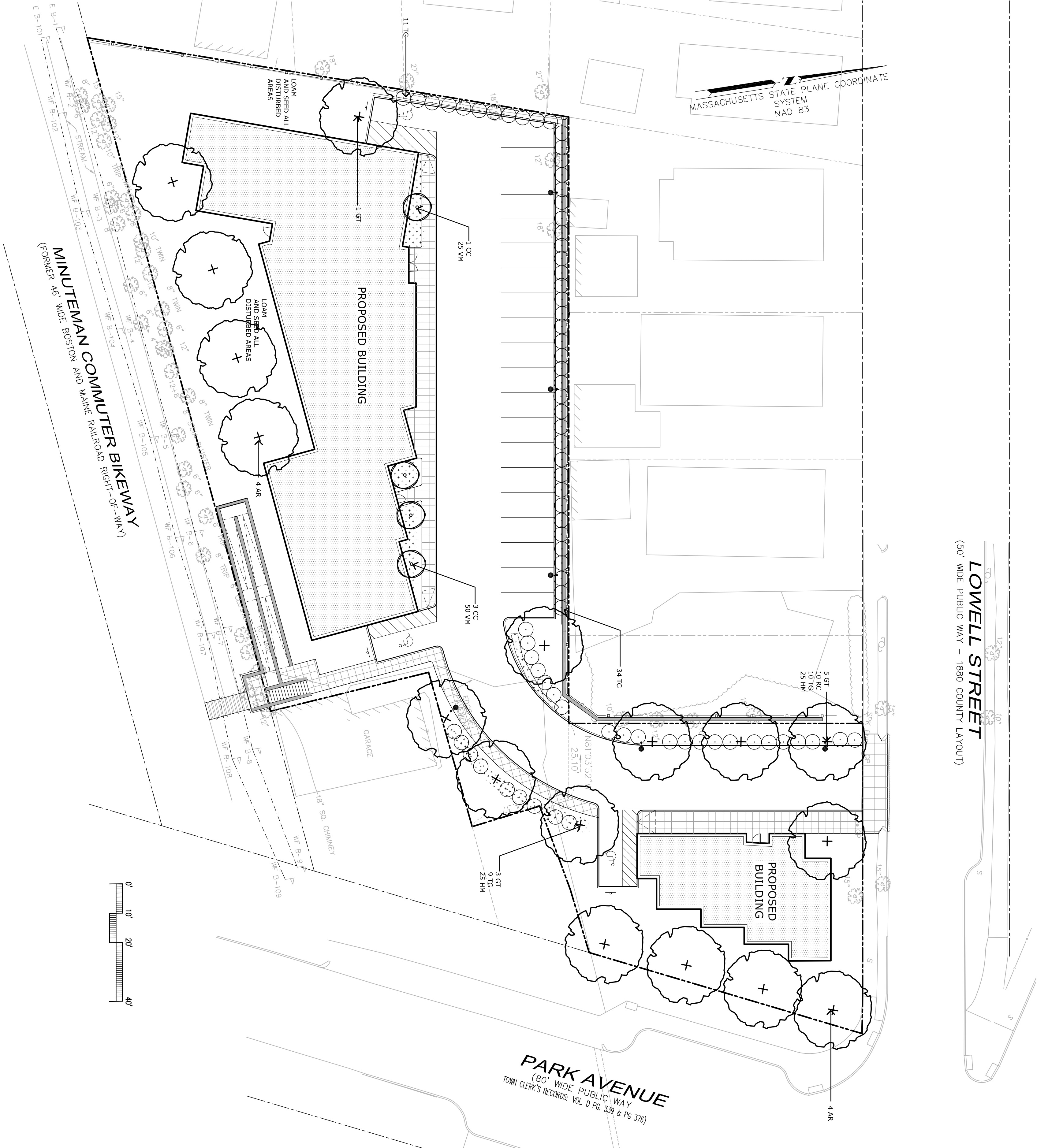
PLANT SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	QTY	SIZE	COMMENT
DECIDUOUS TREES					
AR	ACER RUBRUM 'OCTOBER GLORY'	OCTOBER GLORY MAPLE	8	3 - 3 1/2" CAL.	
GT	QUERCUS TRACANTHOS 'INERMIS'	THORNLESS HOENETCLOUST	9	3 - 3 1/2" CAL.	
ORNAMENTAL TREES					
CC	CERIS CANADENSIS	EASTERN RED BUD	3	6-7" HT	TRIPLE CLUMP
SHRUBS					
RC	RHOODENDRON CHINODES	WHITE RHOODENDRON	10	24-36"	
TG	TAXUS MEDIA 'GREENWAVE'	GREENWAVE YEW	64	24-36" HT	
HM	HEBECOLLIS STELLA D'ORO'	STELLA D'ORO DAWLILY	50	1 GAL.	
WM	YUCCA MINOR	COMMON YUCCA	75	4" POTS	

TREE CALIPER REPLACEMENT 47" TO BE REMOVED  
17 TREES AT 3" TO BE REPLACED ON SITE FOR A TOTAL REPLACEMENT OF 51".

PLANTING RULES

- EXISTING CONDITIONS INFORMATION IS REPRODUCED FROM THE SURVEY PREPARED BY JUDITH NITSCH, OF BOSTON, MA, DATED 22 OCTOBER, 2013 AND REVISED THROUGH 3-22-2017.
- THE LOCATIONS OF UNDERGROUND UTILITIES SHOWN ARE BASED ON THE SURVEY REFERENCED ABOVE. THE CONTRACTOR SHALL CONTACT DIGSAFE AND THE PROPER LOCAL AUTHORITIES OR RESPECTIVE UTILITY COMPANIES TO CONFIRM THE LOCATION OF ALL EXISTING UTILITIES BEFORE ANY WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL UTILITIES.
- CONTRACTOR SHALL BEGIN MAINTENANCE IMMEDIATELY AFTER PLANTING AND WILL CONTINUE UNTIL FINAL WRITTEN ACCEPTANCE OF PLANT MATERIAL.
- LANDSCAPE ARCHITECT TO FLAG ALL TREES TO BE TRANSPLANTED PRIOR TO CONSTRUCTION START.
- CONTRACTOR SHALL VERIFY ALL TREE REMOVALS AND/OR TRANSPLANTS WITH OWNER'S REPRESENTATIVE PRIOR TO CONSTRUCTION START.
- CONTRACTOR SHALL MAINTAIN POSITIVE DRAINAGE AWAY FROM ALL BUILDING FOUNDATIONS, STRUCTURES, AND PLANTING BEDS.
- MAXIMUM SLOPE WITHIN DISTURBED AREAS SHALL NOT EXCEED 3:1, UNLESS OTHERWISE NOTED.
- THE LANDSCAPE CONTRACTOR SHALL SUPPLY ALL PLANT MATERIALS IN QUANTITIES SUFFICIENT TO COMPLETE ALL PLANTINGS SHOWN ON THIS DRAWING.
- ALL MATERIALS SHALL CONFORM TO THE GUIDELINES ESTABLISHED BY THE AMERICAN NURSERY AND LANDSCAPE ASSOCIATION.
- ALL PLANTS SHALL BEAR THE SAME RELATIONSHIP TO FINISH GRADE AS TO ORIGINAL GRADES BEFORE DIGGING.
- ALL PLANTS TO BE BALLED IN BURLAP OR CONTAINERIZED.
- MULCH FOR PLANTED AREAS TO BE AGED PINE BARK: PARTIALLY DECOMPOSED, DARK BROWN IN COLOR AND FREE OF WOOD CHIPS THICKER THAN 1/4 INCH.
- PLANTING SOIL MIX: LOAM THOROUGHLY INCORPORATED WITH ROTTED MANURE PROPORTIONED 5 CY TO 1 CY, OR EQUIVALENT. FERTILIZER ADDED PER RECOMMENDED RATES OF SOILS ANALYSIS.
- THE LANDSCAPE CONTRACTOR SHALL GUARANTEE ALL PLANT MATERIALS FOR ONE (1) FULL YEAR FROM DATE OF ACCEPTANCE.
- ALL PLANT MATERIALS ARE SUBJECT TO THE APPROVAL OF THE LANDSCAPE ARCHITECT, AT THE NURSERY, AND AT THE SITE.
- ALL AREAS OF THE SITE WHICH HAVE BEEN DISTURBED AND NOT OTHERWISE DEVELOPED SHALL BE LOAMED AND SEEDED WITH A MINIMUM DEPTH OF 6" DEPTH TOPSOIL.
- PLANT SPECIES AS INDICATED IN THE PLANT LIST ARE SUGGESTIONS ONLY. FINAL SELECTION OF SPECIES SHALL OCCUR AT THE TIME OF PLANT PURCHASE, DEPENDING ON AVAILABILITY. PLANT SIZE AND QUANTITY SHALL NOT CHANGE WITHOUT APPROVAL OF OWNER'S REPRESENTATIVE.



DeVellis Zrein Inc.

Land Planning Civil Engineering  
Landscape Architecture  
Po Box 307  
Falmouth, MA  
www.develliszrein.com  
tel 508.373.5553

11.02.17	PER CON. COM. COMMENTS
10.11.17	MISC. REVISIONS

PLANTING PLAN

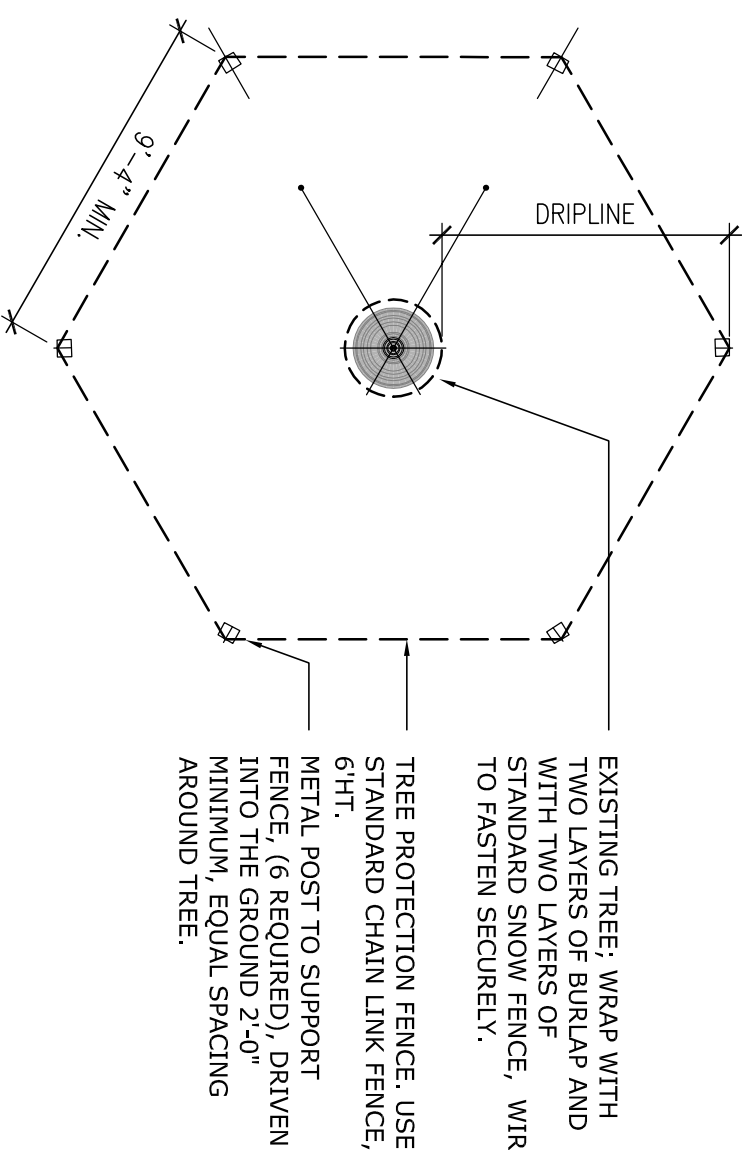
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DATE:	08.28.17

C-3

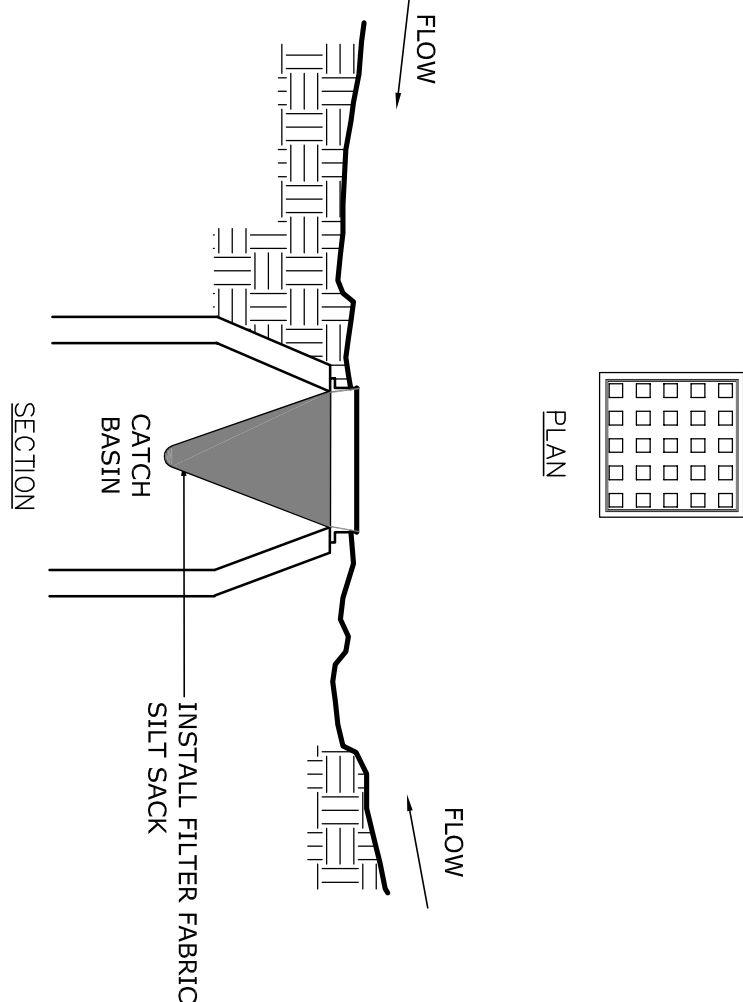


DOWNING  
SQUARE

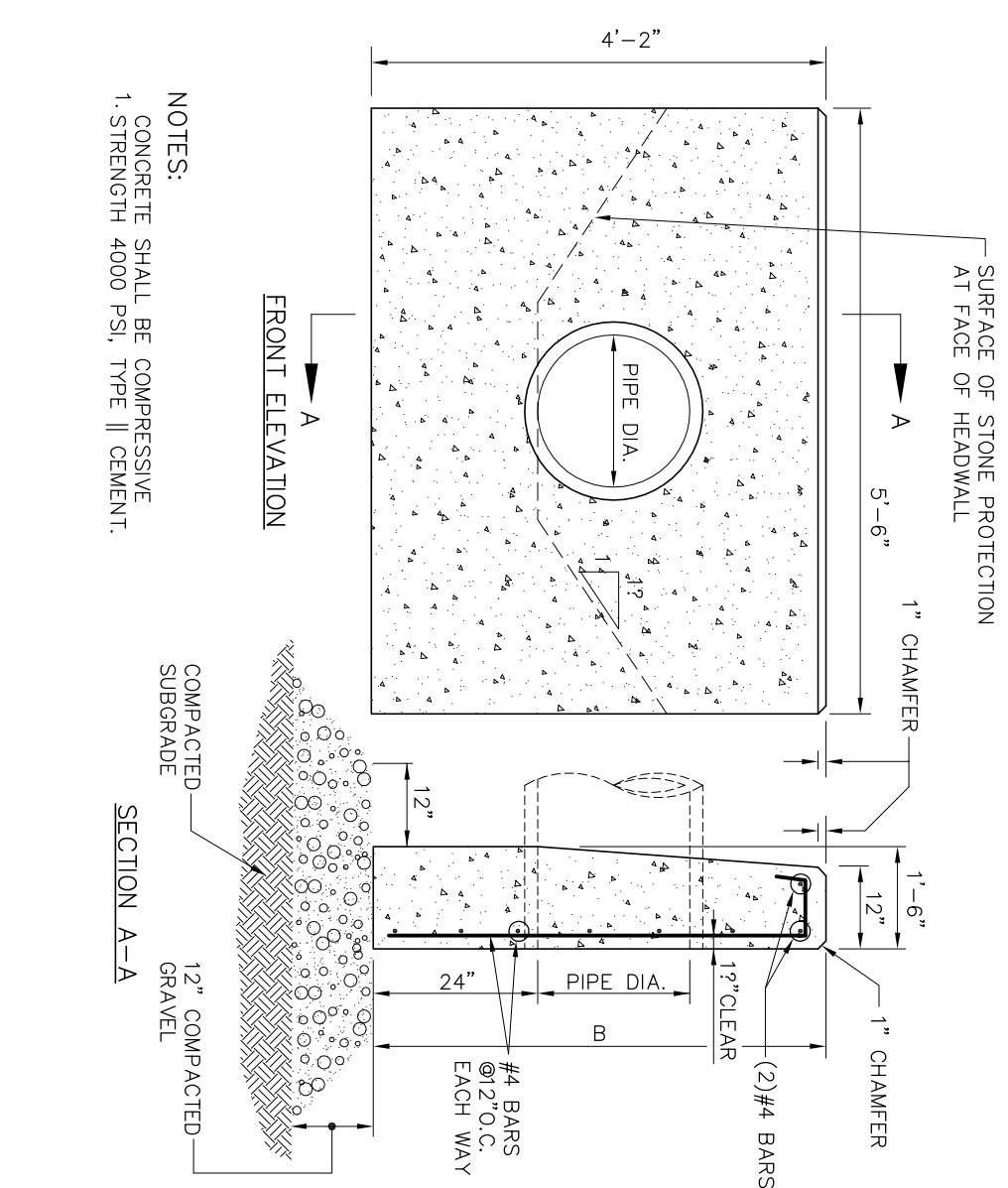
19R PARK AVENUE  
ARLINGTON, MA



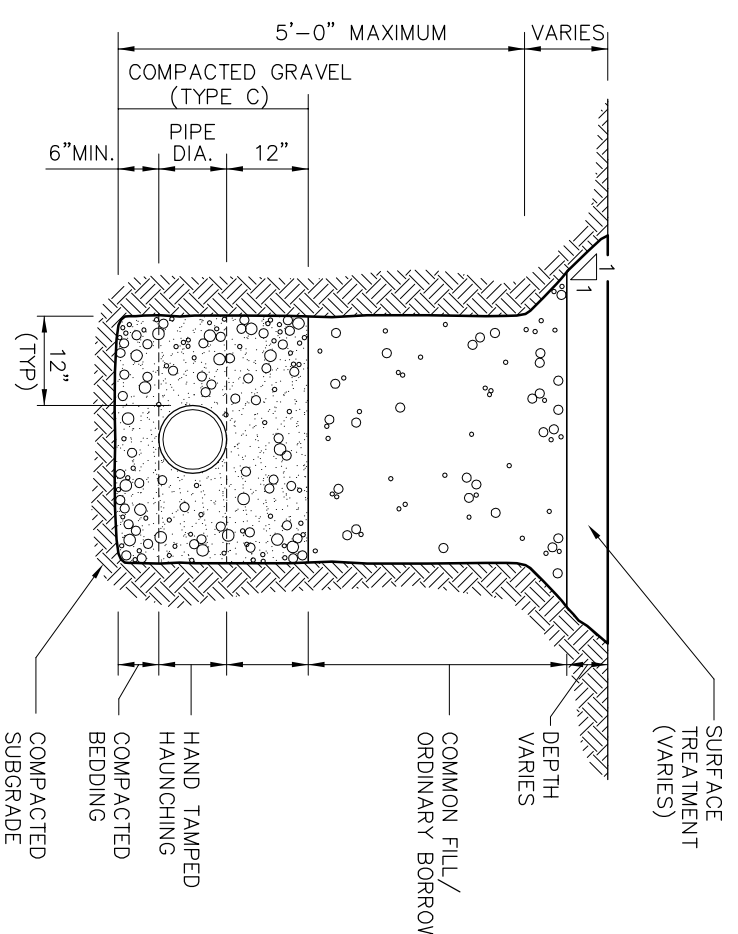
TREE PROTECTION DETAIL



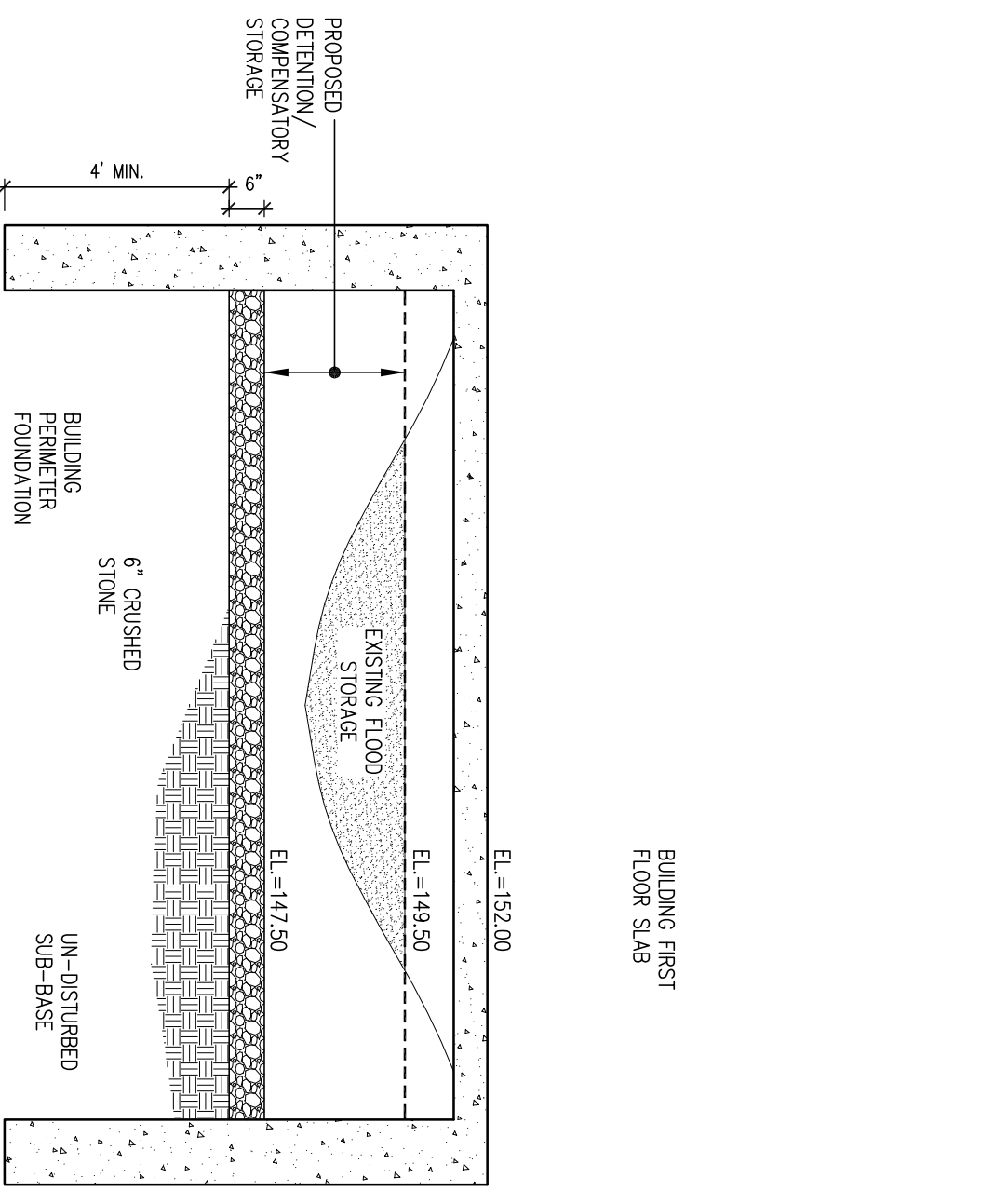
CATCH BASIN SILT SACK



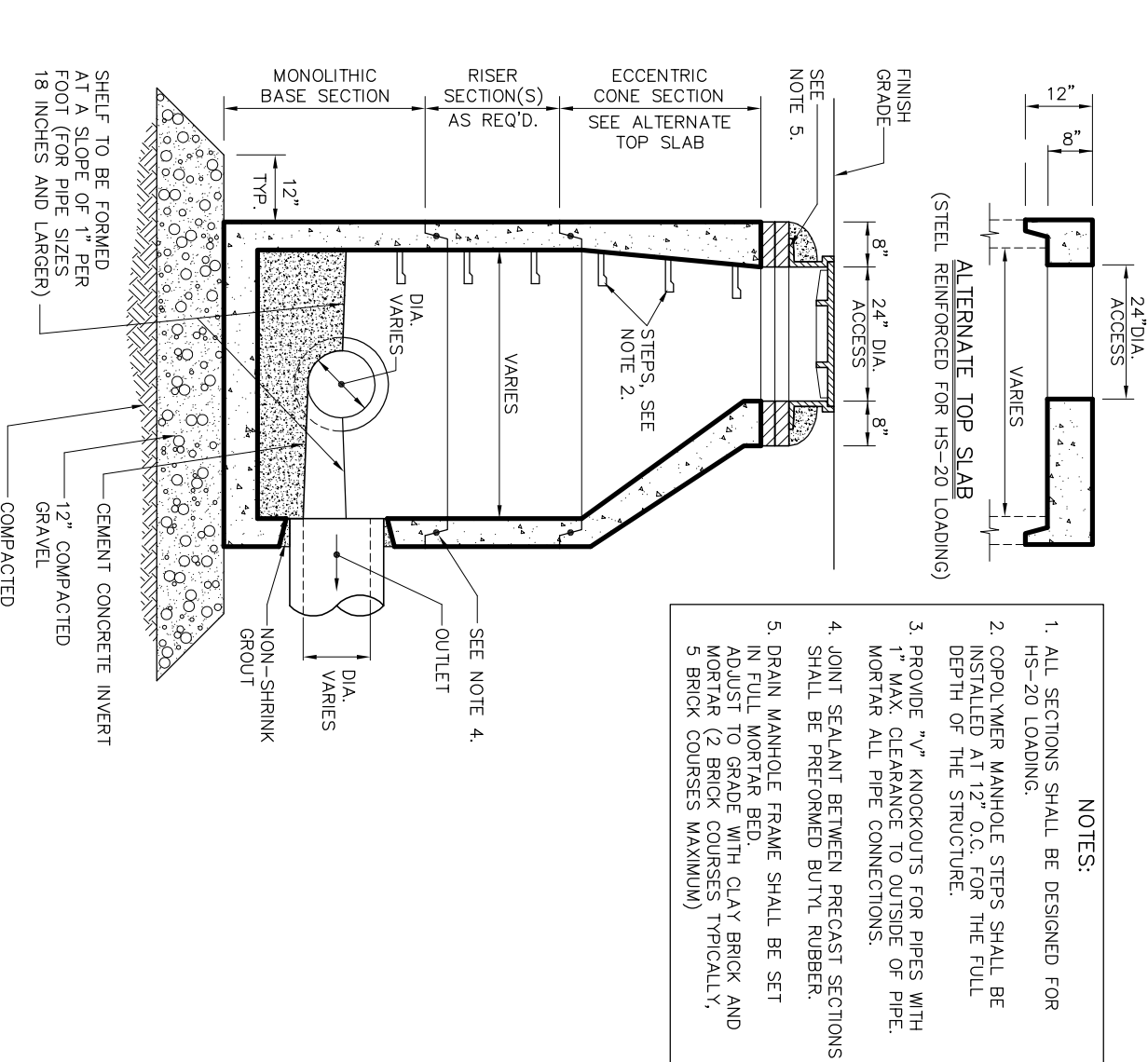
CONCRETE HEADWALL



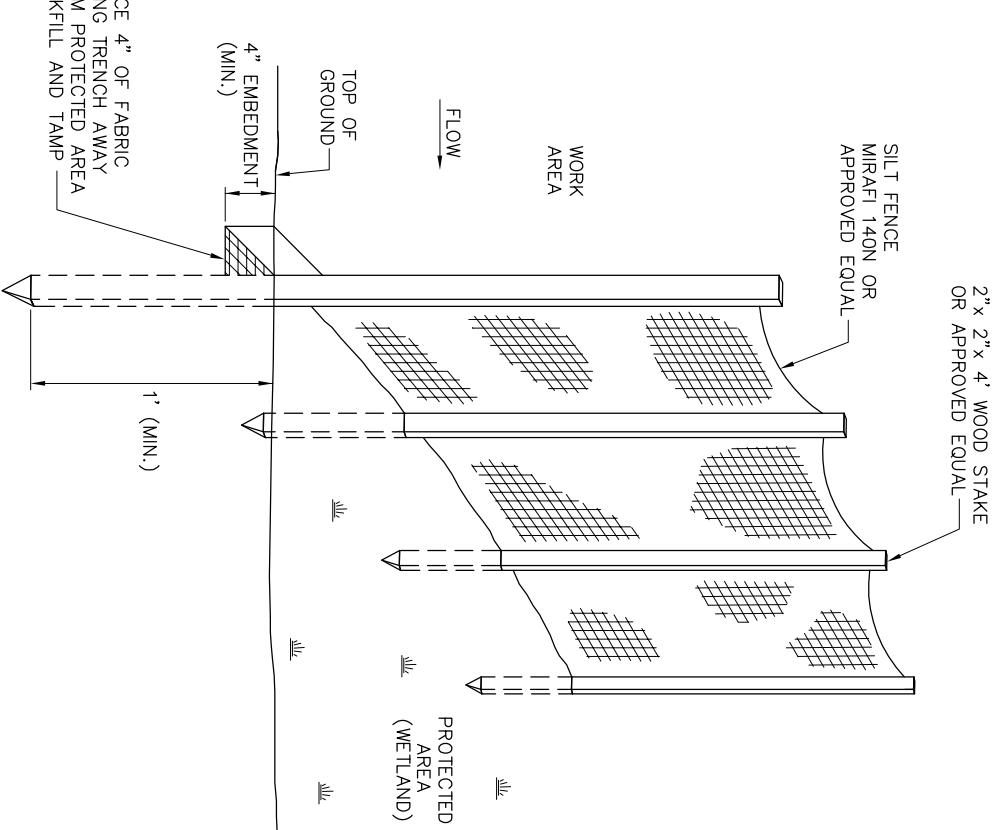
UTILITY TRENCH



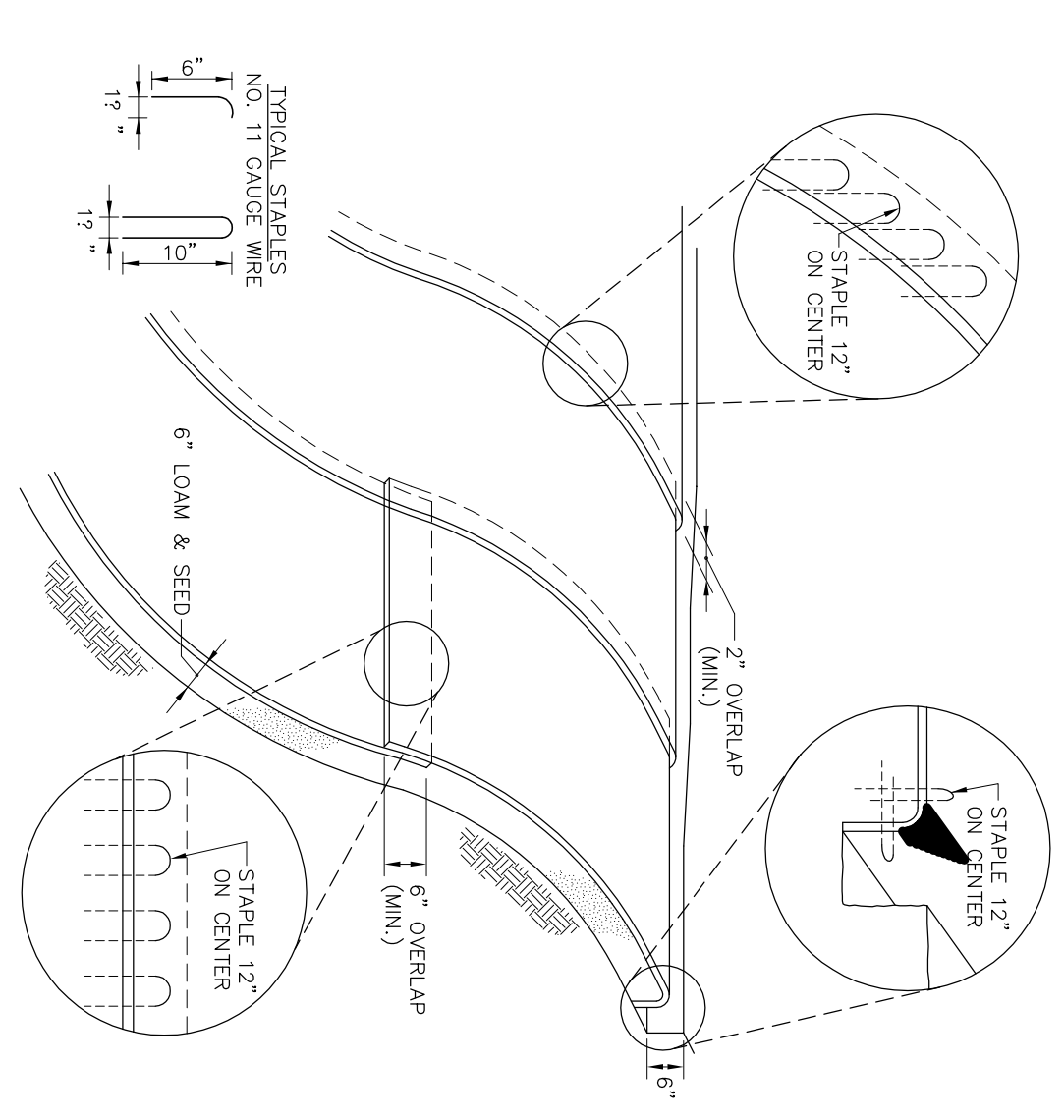
COMPENSATORY FLOOD STORAGE AREA



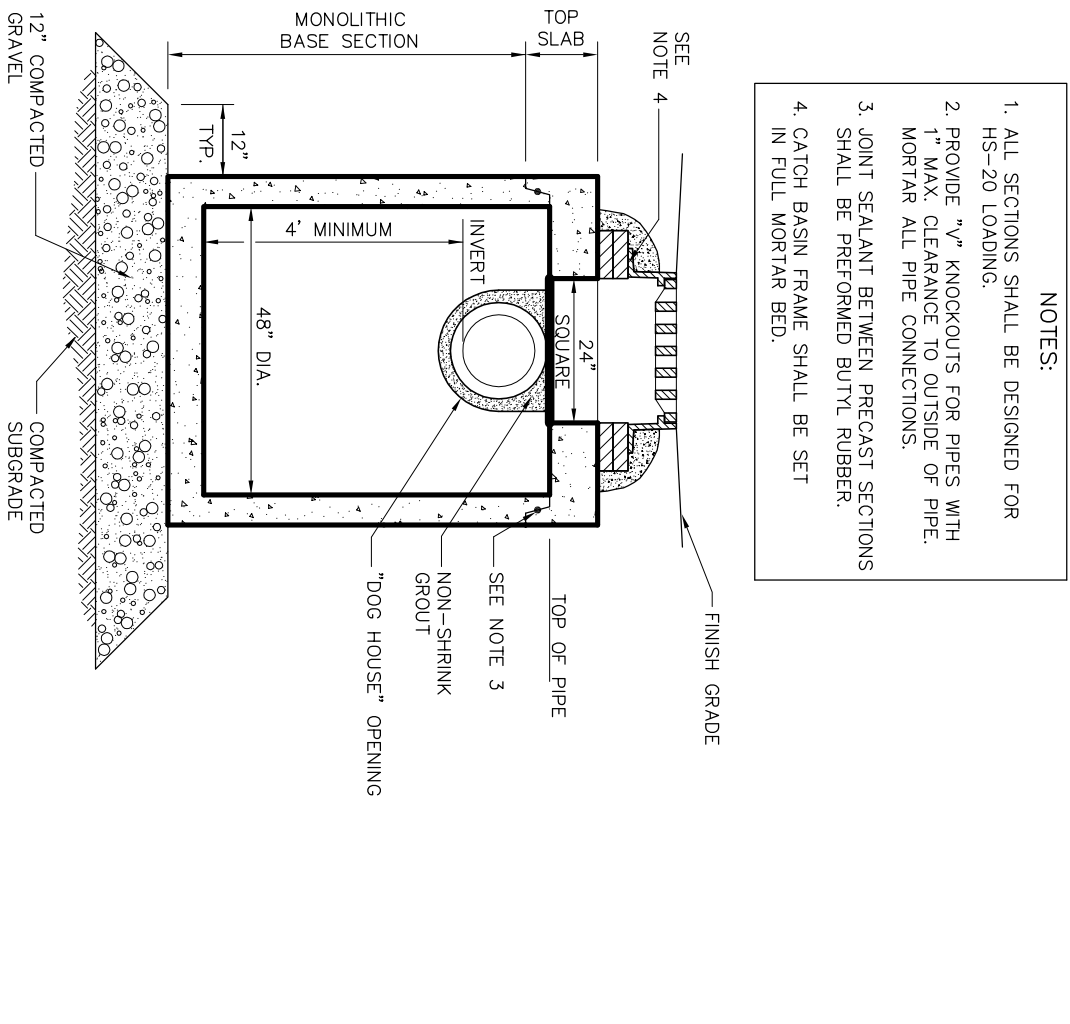
DRAIN MANHOLE (DMH)



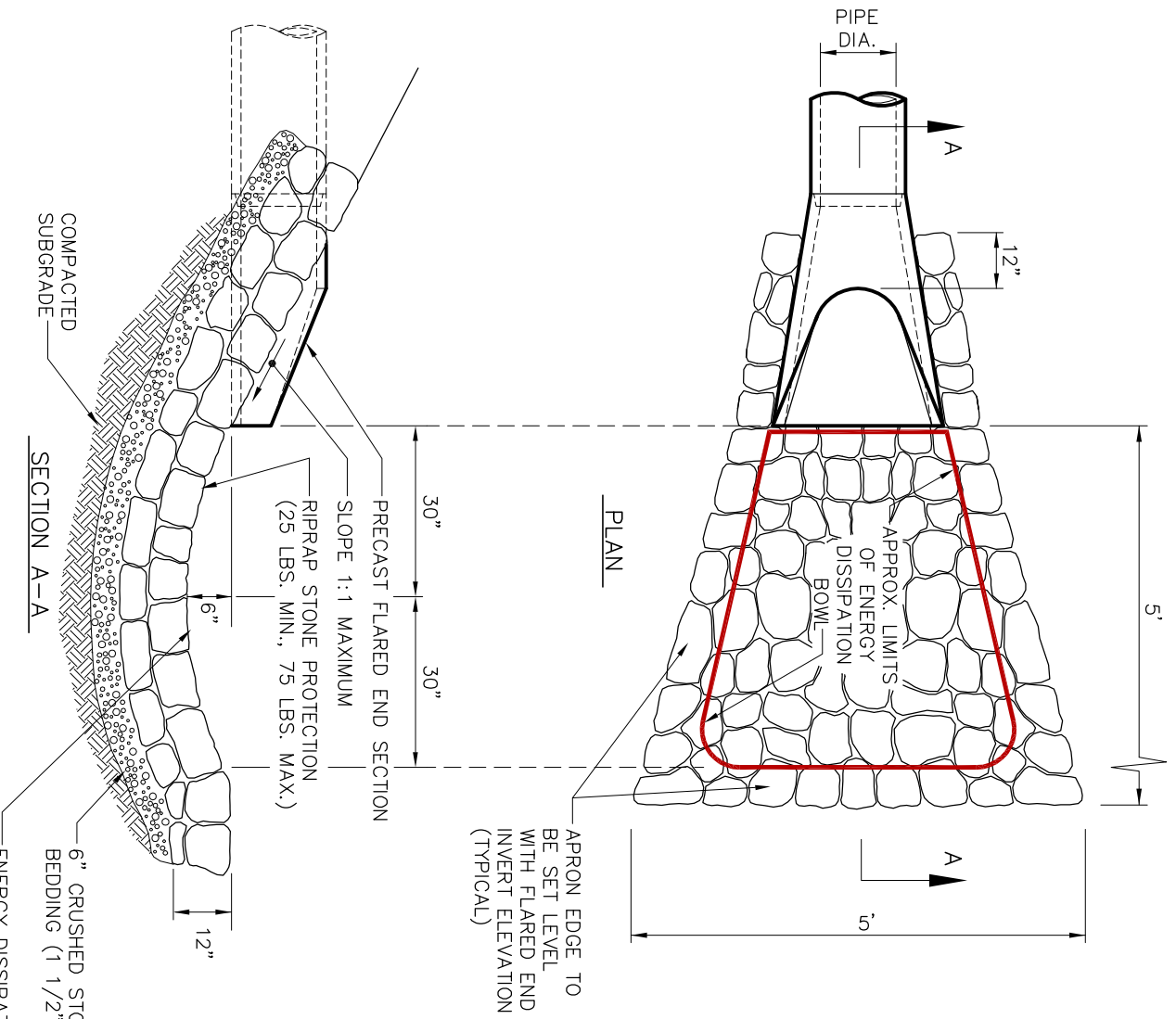
SILT FENCE DETAIL



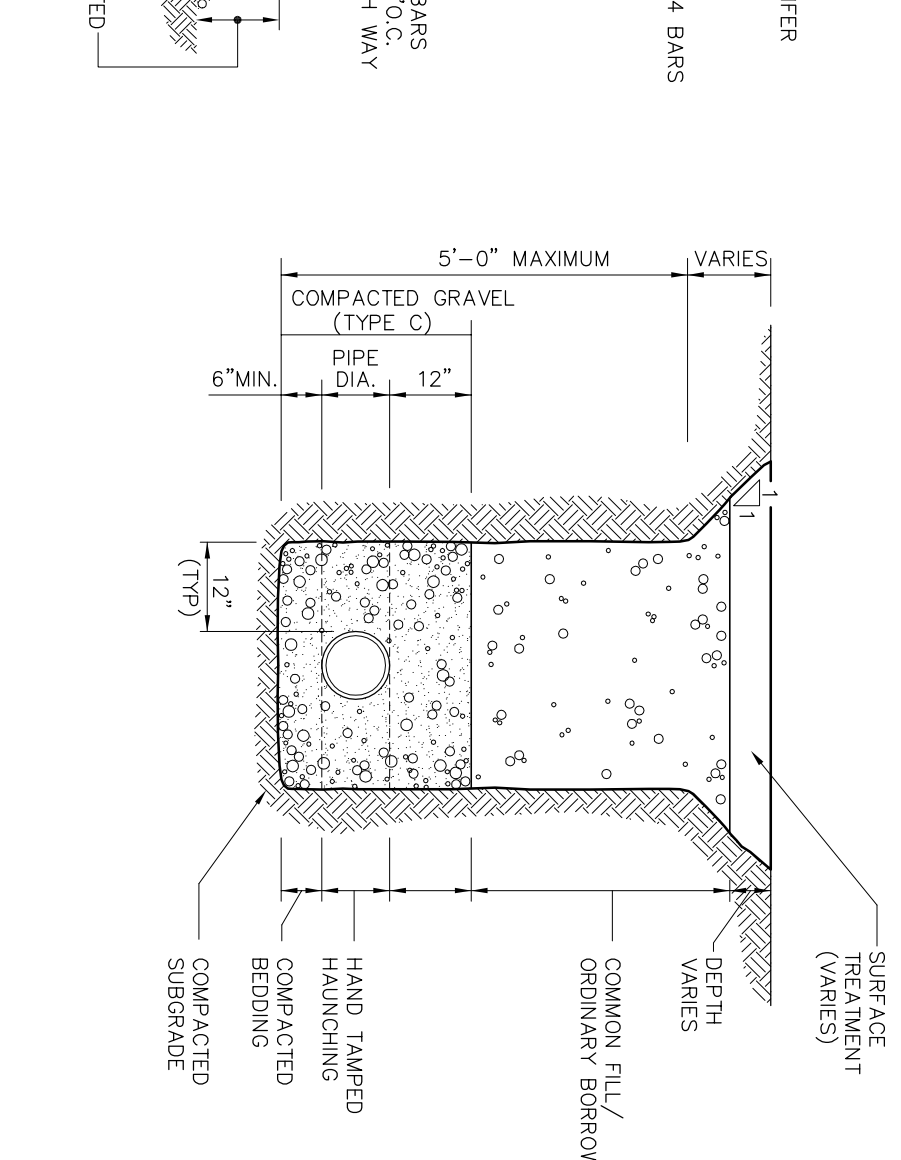
BLANKET SLOPE STABILIZATION



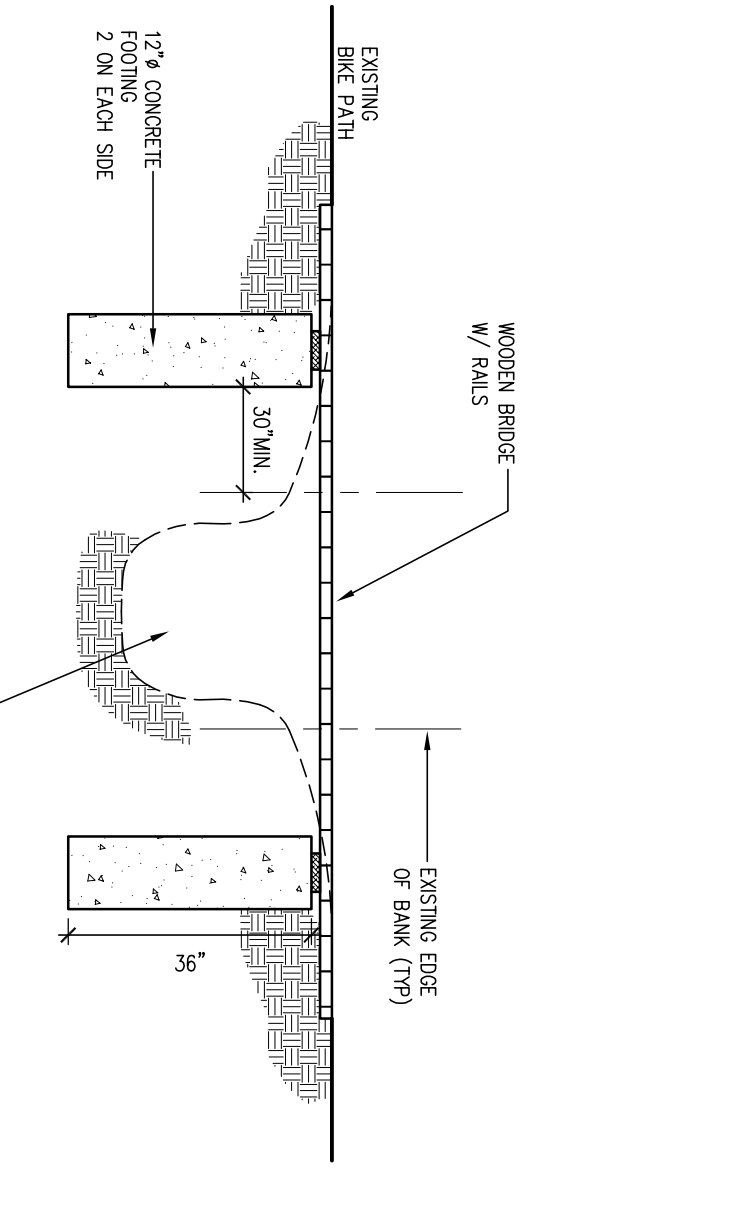
CATCH BASIN W/SHALLOW COVER (CB)



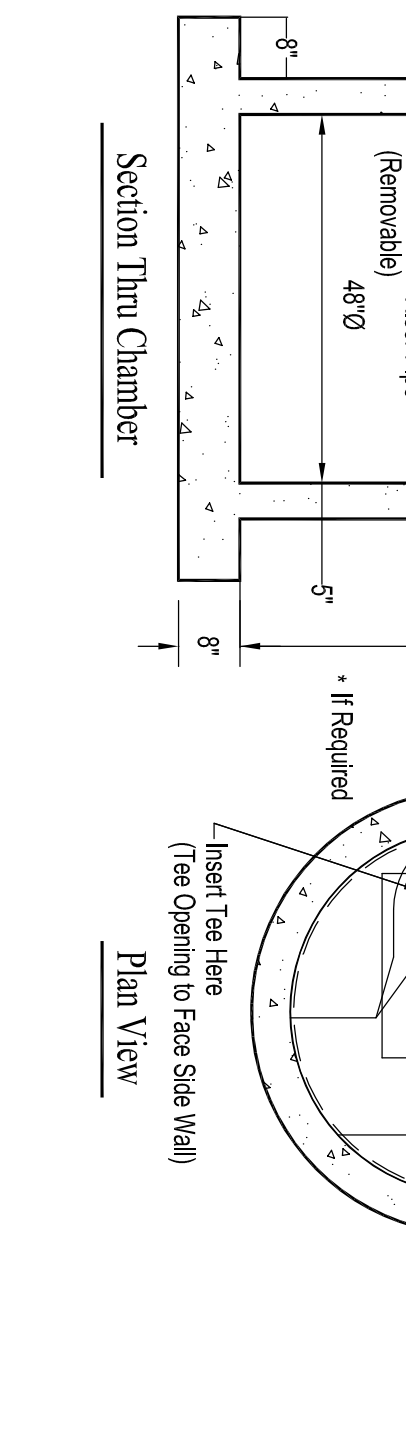
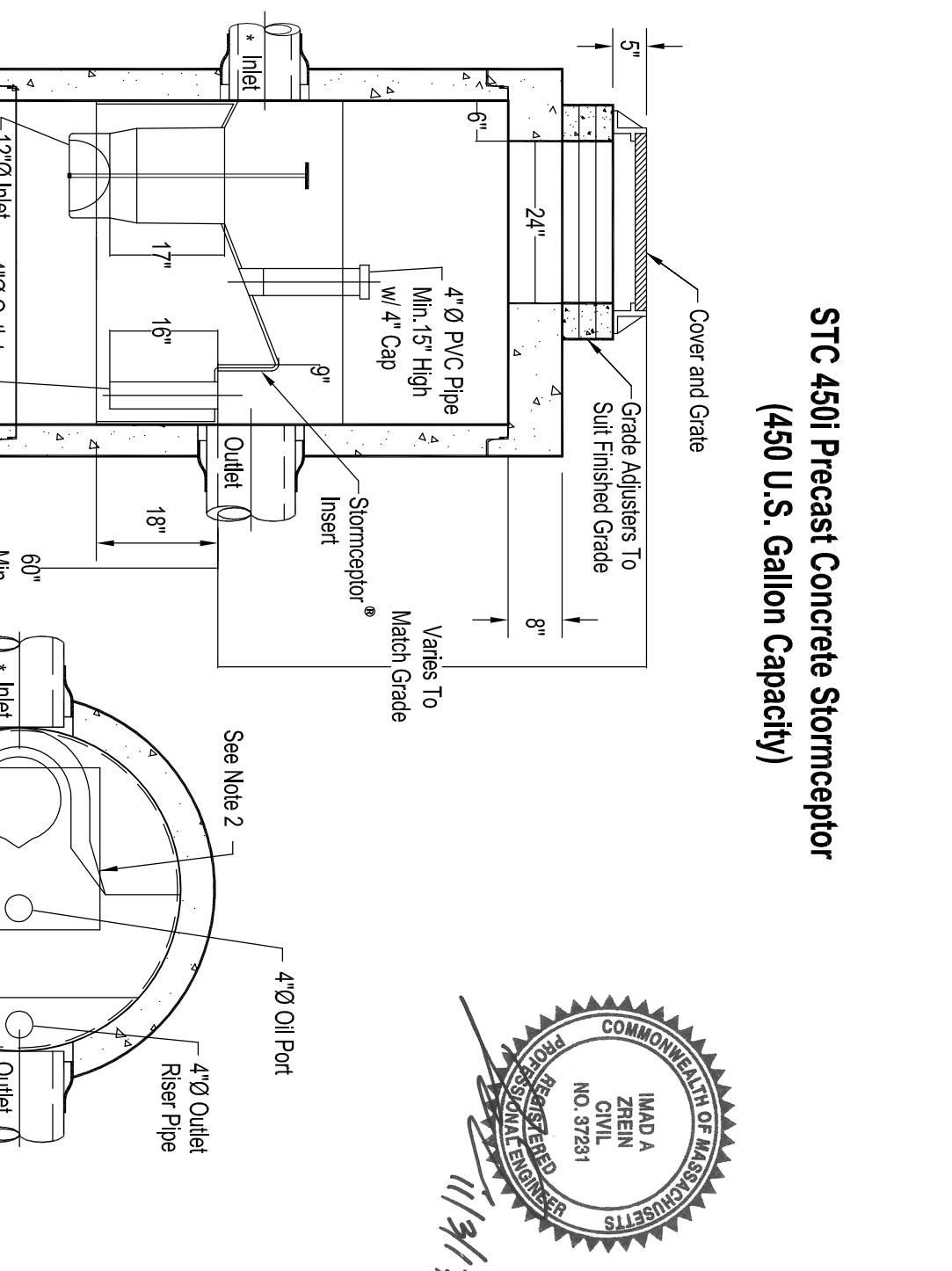
FLARED END SECTION



CONCRETE HEADWALL



BROOK CROSSING DETAIL



C-4

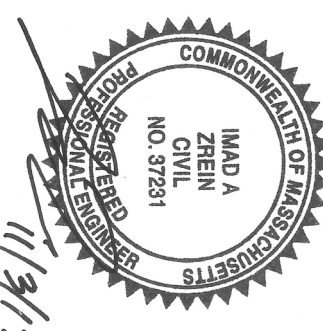
SCALE:	AS SHOWN
JOB:	2GIS-280
FILE:	280-D
DRAWN:	
CHECKED:	
DATE:	08.28.17

SITE DETAIL SHEET

11.02.17	PER CON. COM. COMMENTS
10.11.17	MISC. REVISIONS

**DeVellis Zrein Inc.**

Land Planning, Civil Engineering,  
Landscape Architecture  
Po Box 301,  
Kokodongh, MA  
tel. 508.373.8583

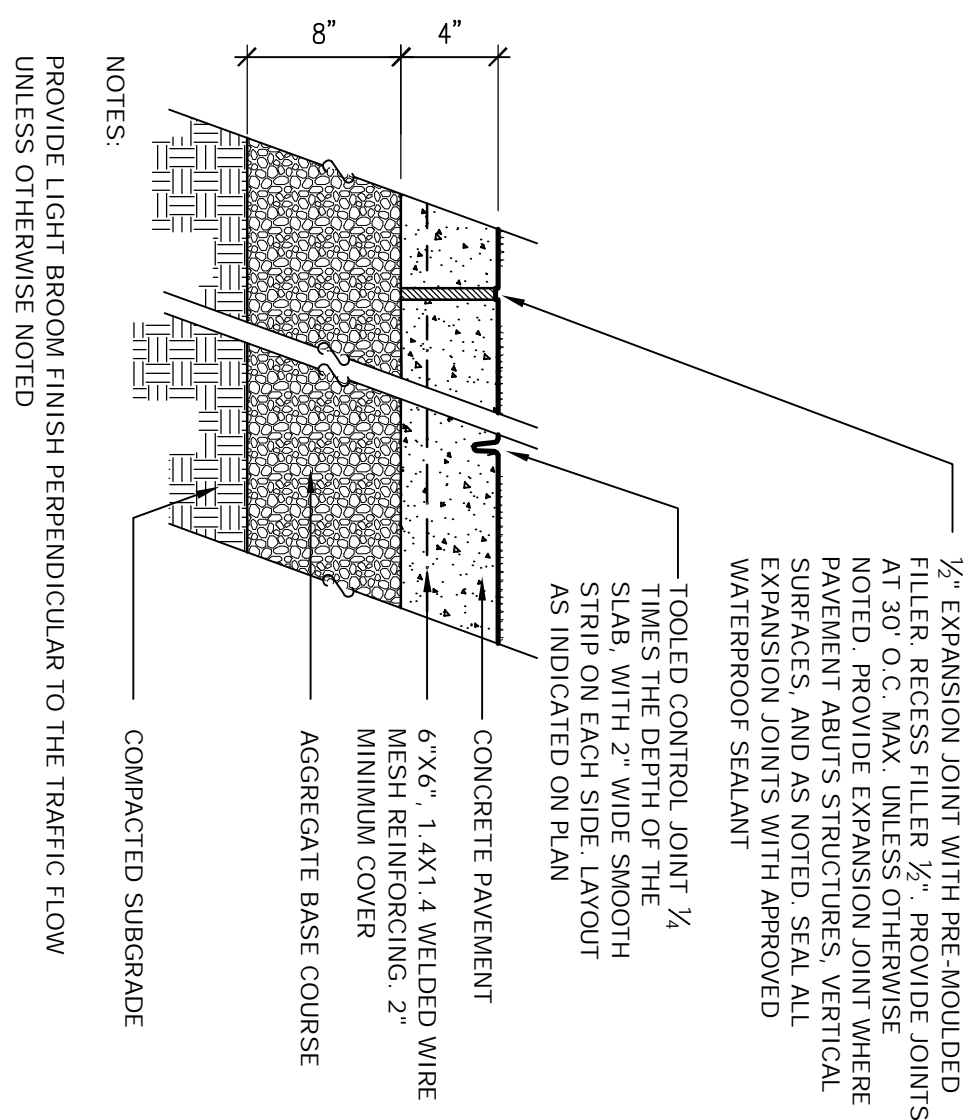


STC 450i Precast Concrete Stormceptor  
(450 U.S. Gallon Capacity)

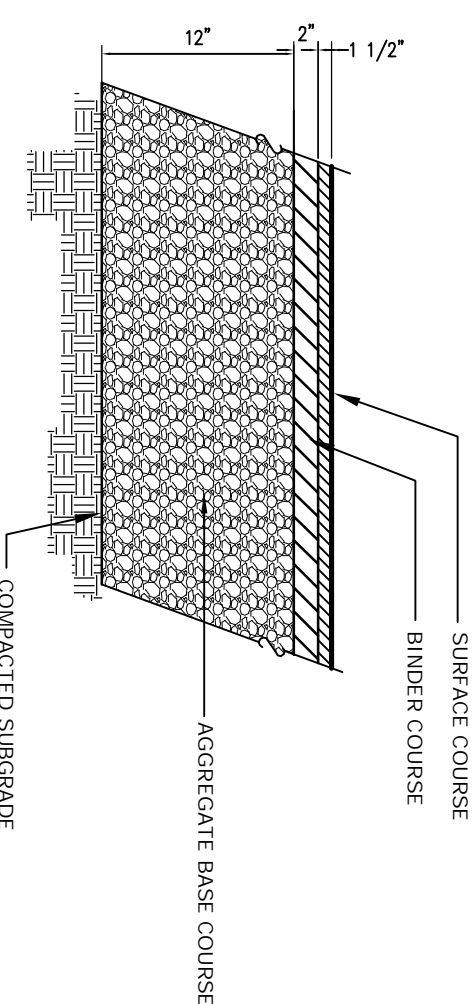


888 South Main St.  
Mansfield, MA

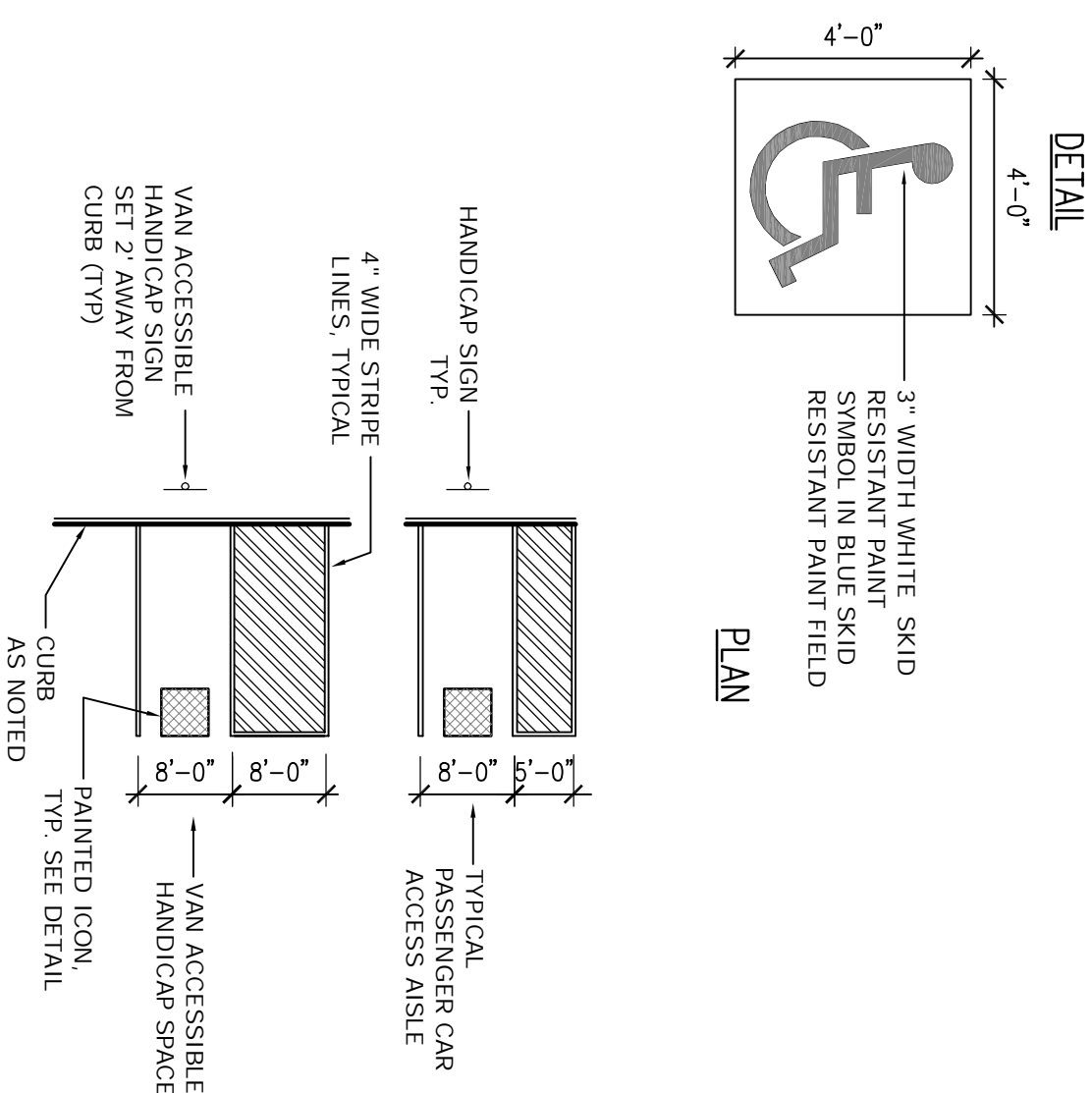
## CEMENT CONCRETE SIDEWALK



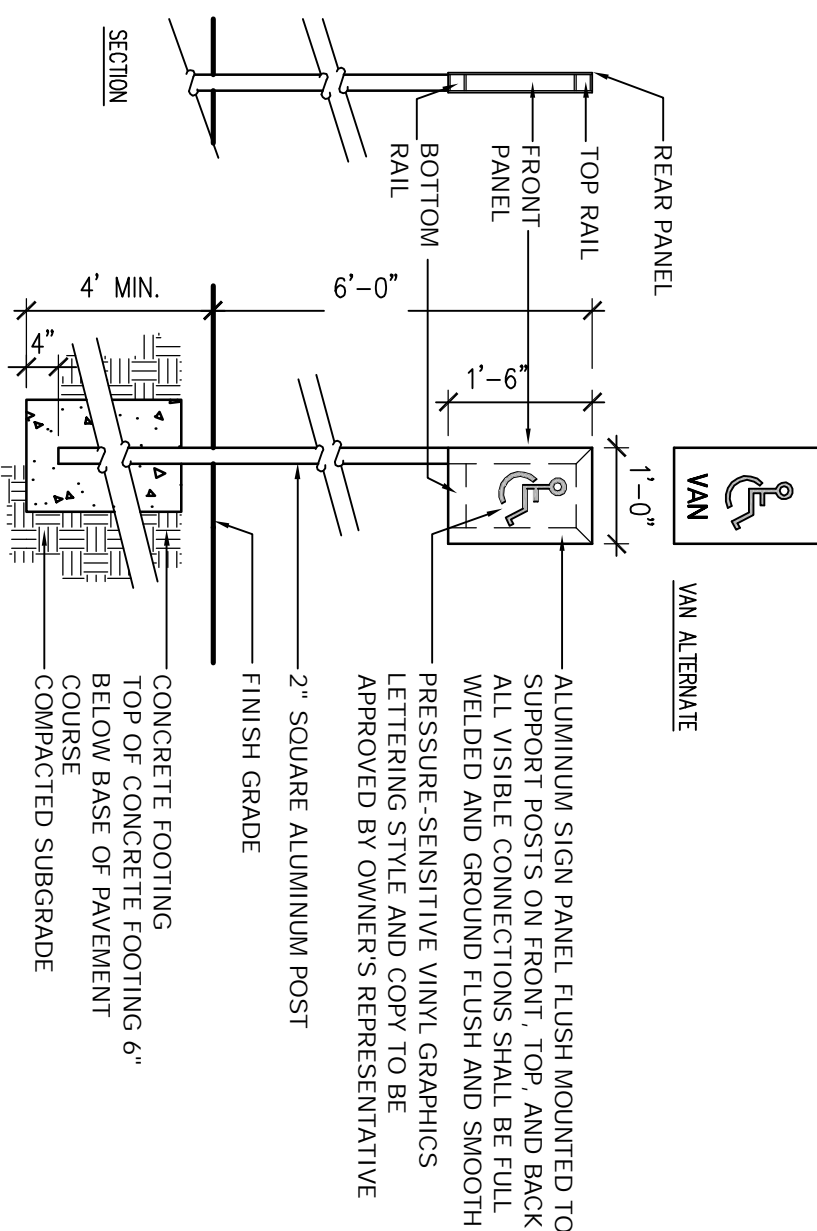
# BITUMINOUS CONCRETE PAVEMENT



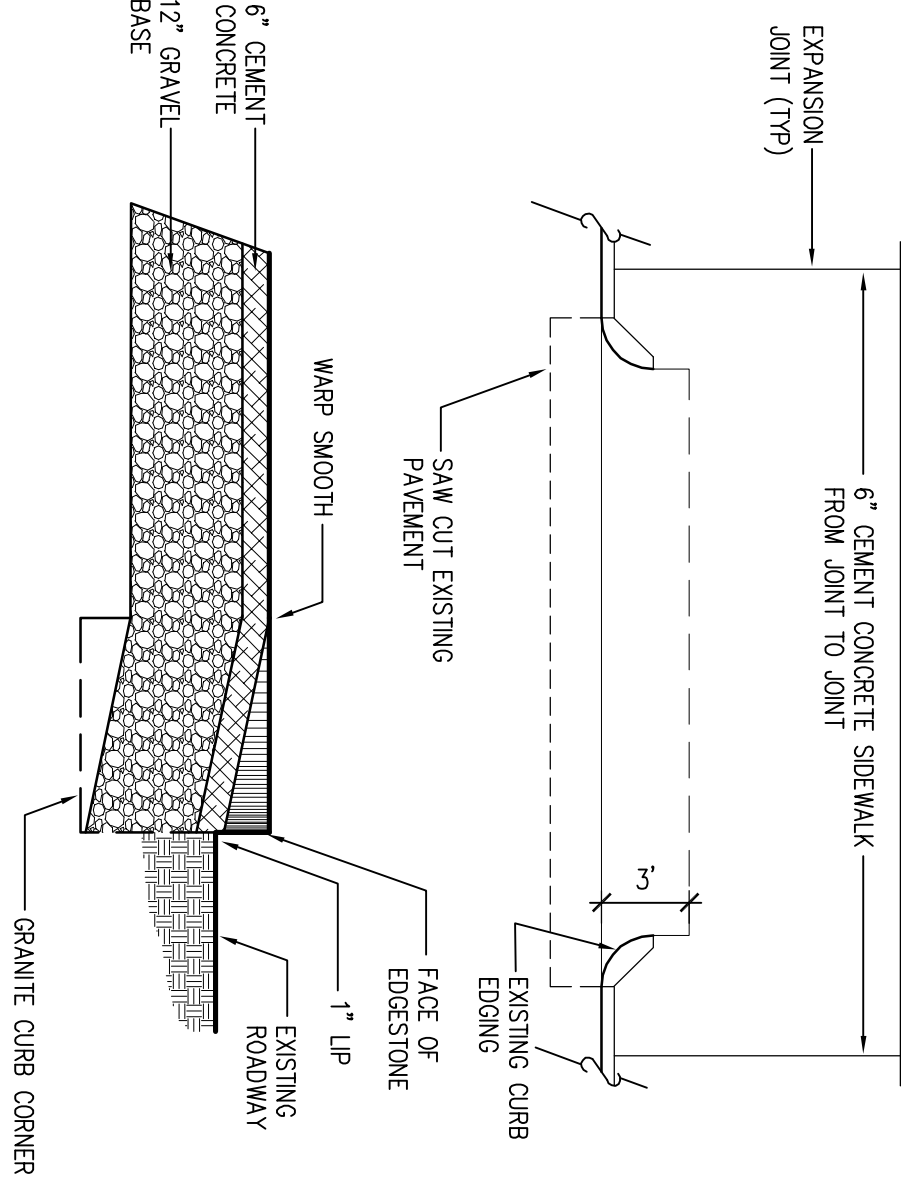
## HANDICAP PARKING LAYOUT AND SIGN



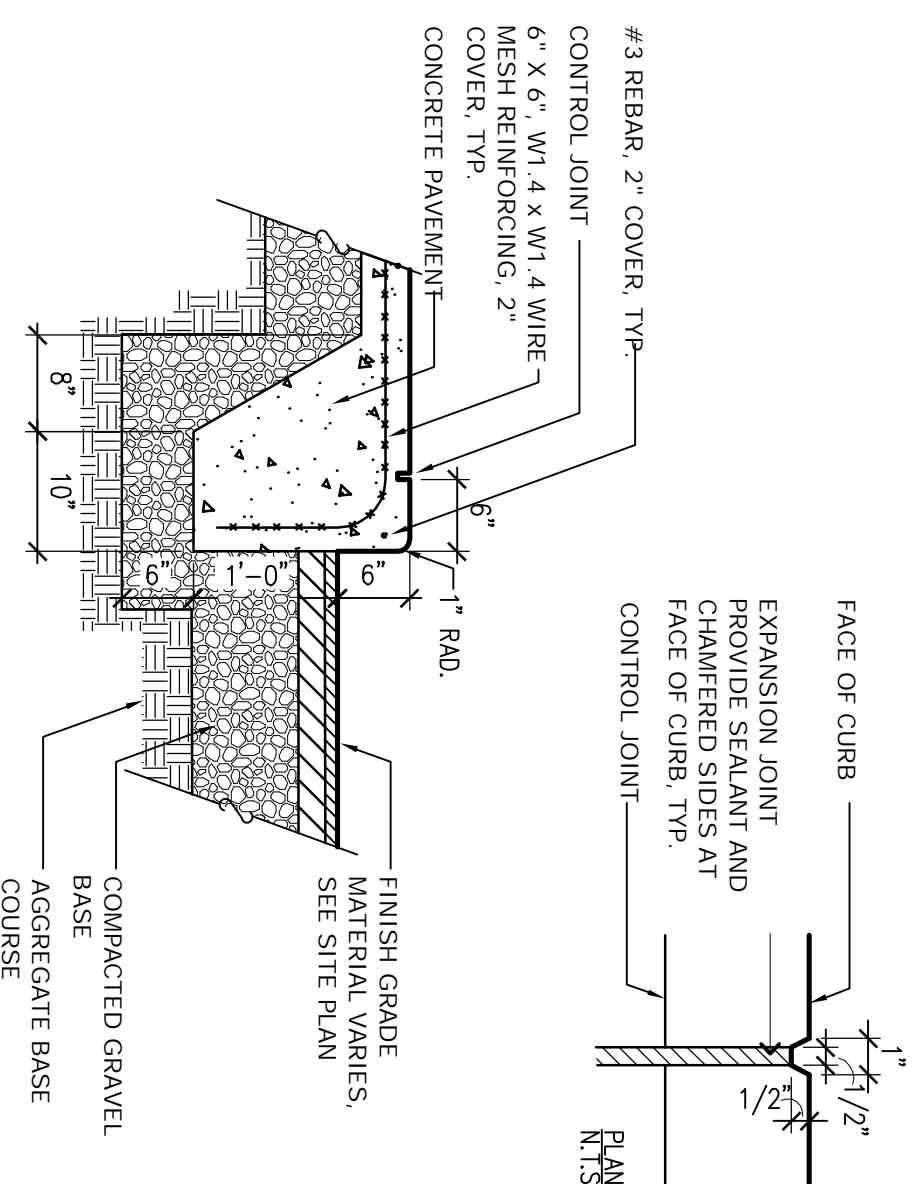
## HANDICAP PARKING SIGN



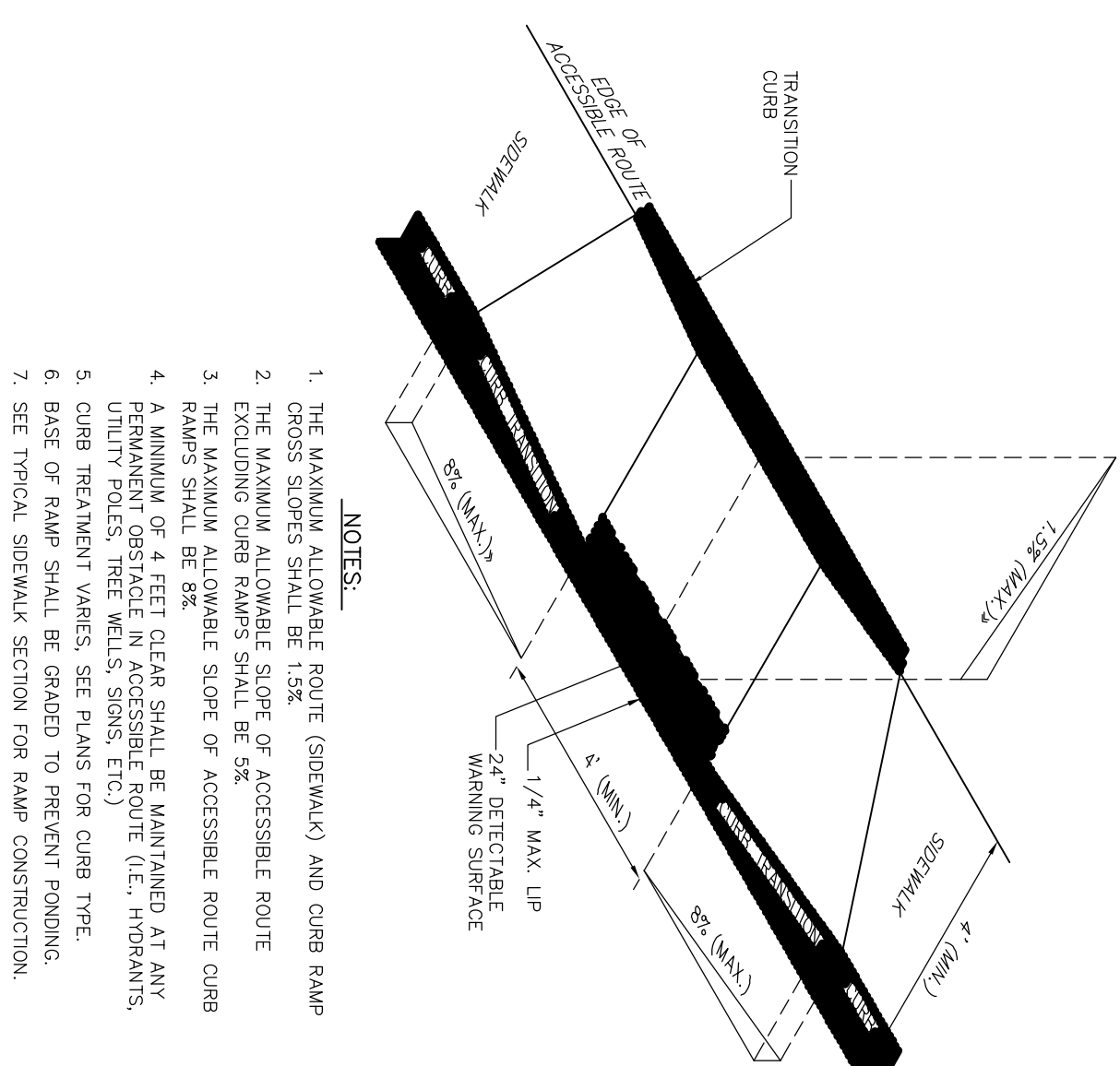
## DRIVEWAY APRON



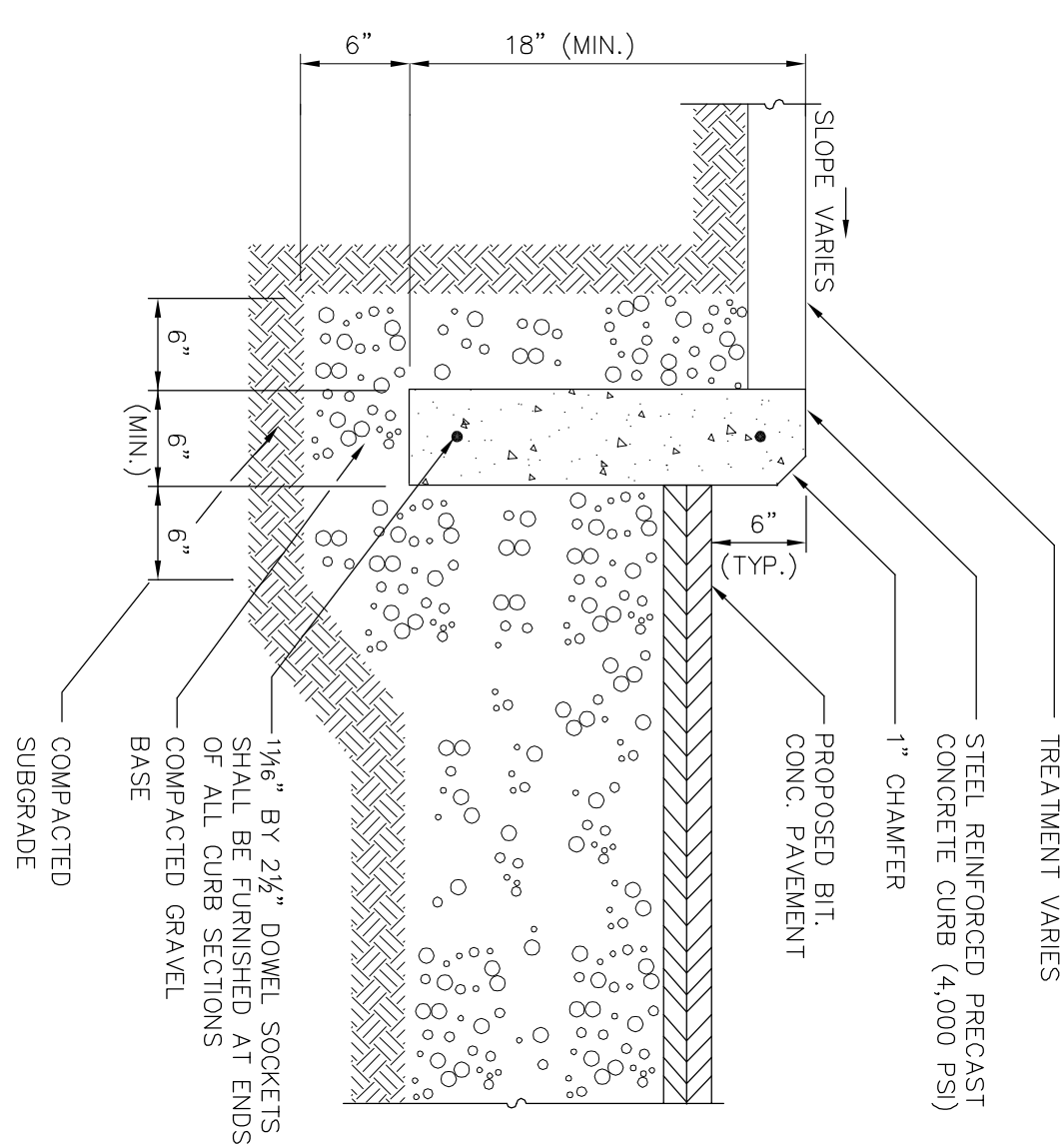
# MONOLITHIC CONCRETE CURB



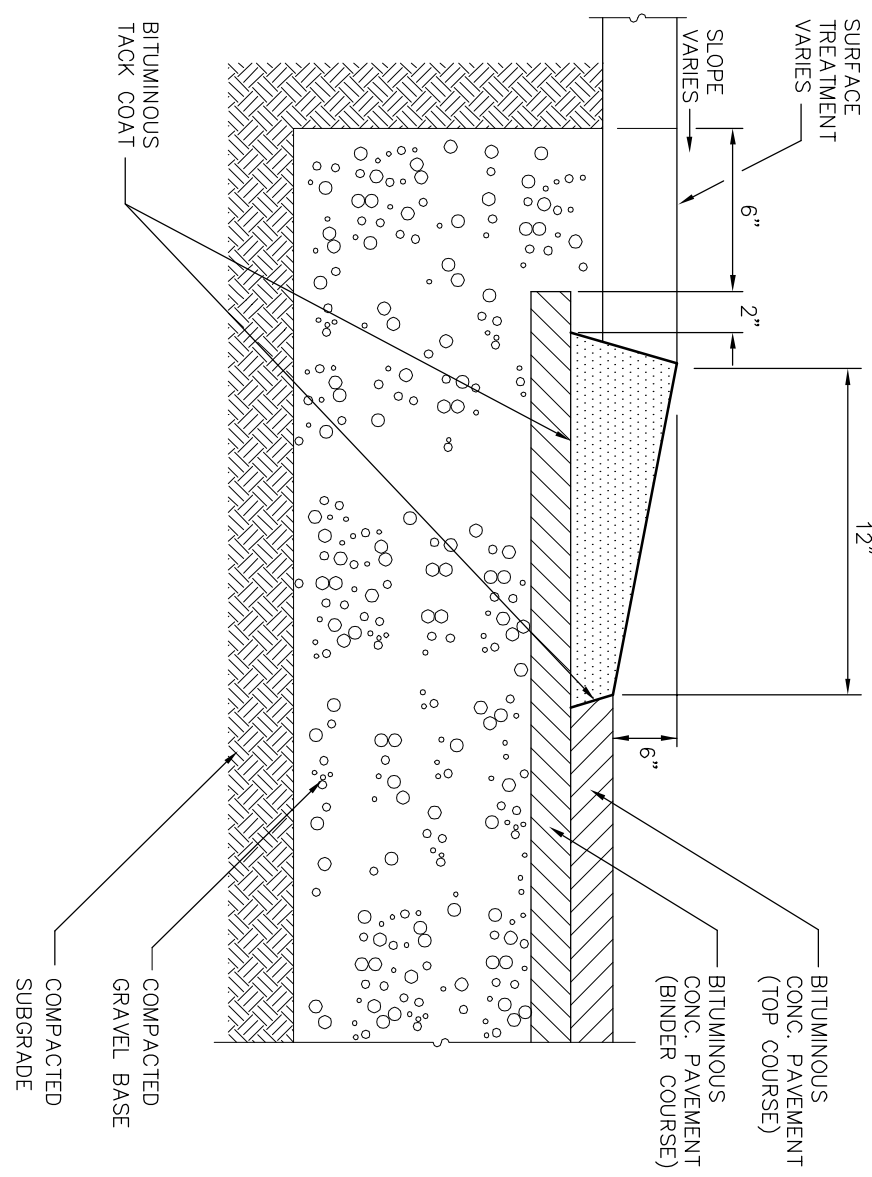
### ACCESSIBLE CURB RAMP



## CONCRETE CURB



## CAPE COD BERM



# SITE DETAIL SHEET

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